

**ERIE COUNTY LEGISLATURE
MEETING NO. 19
OCTOBER 6, 2016**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Ms. Grant, who led a short prayer.

The Pledge of Allegiance was led by Mr. Mills.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 18 from 2016. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. DIXON presented a resolution Proclaiming the Month of October 2016 as "Dysautonomia Awareness Month" in Erie County.

Item 6 – MS. LORIGO presented a resolution Honoring Christine Harris for her Tireless Work and Dedication to Child Welfare Issues.

Item 7 – MS. MILLER-WILLIAMS presented a resolution Celebrating Rebecca D. Bess on her 80th Birthday.

Item 8 – MS. MILLER-WILLIAMS presented a resolution Welcoming Borinquen Dance Theater Inc to Erie County and Celebrating the Legacy and Contribution of Nydia Padilla-Rodriguez's Expertise to the Dance Culture for 35 Years.

Item 9 – MS. MILLER-WILLIAMS presented a resolution Celebrating Hopewell Baptist Church on the Occasion of its 60th Anniversary.

Item 10 – MS. MILLER-WILLIAMS presented a resolution Welcoming Renowned Music Artists 'Los Hermanos Morenos' to Erie County and Celebrating Their Legacy and Contribution to Salsa Music for 30 Years.

Item 11 – MS. MILLER-WILLIAMS presented a resolution Recognizing the Hispanic Heritage Council of WNY Inc for its Commitment to Preserving and Educating the Community on the Hispanic Culture.

Item 12 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Congratulating Carole Borchert on Receiving the Hearts and Hands' Reverend Mary Ann Pula Lifetime Service Award and her Service and Dedication as a Volunteer.

Item 13 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Recognizing the Grand Opening of the Western New York Freedom Lounge at the Buffalo Niagara International Airport That Provides a Comfortable Respite Area for our Military Personnel and Veterans as they Utilize the Airport.

Item 14 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Recognizing October 2016 as "Domestic Violence Awareness Month" and to Shine the Light on the Issue of Domestic Violence and its Impact on Families and the Community.

Item 15 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Proclaiming October 12, 2016 as "4-H National Youth Science Day" in Erie County.

MR. LORIGO moved for consideration of the above eleven items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above eleven items to include Et Al sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above eleven items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 16 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2016 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 17 – CHAIR MILLS directed that Local Law No. 4 (Print #2) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 20 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 21 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 22 – CHAIR MILLS directed that Local Law No. 10 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 23 – CHAIR MILLS directed that Local Law No. 12 (Print #2) 2016 be received and filed.

GRANTED.

Item 24 – CHAIR MILLS directed that Local Law No. 13 (Print #1) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 25 – CHAIR MILLS directed that Local Law No. 14 (Print #1) 2016 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 26 – CHAIR MILLS directed that Local Law No. 15 (Print #1) 2016 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 27 – CHAIR MILLS directed that Local Law No. 16 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 28 – CHAIR MILLS directed that Local Law No. 17 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 29 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 235

September 29, 2016	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GRANT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 18E-18 (2016)
COUNTY EXECUTIVE

WHEREAS, the Department has been awarded an amount of \$143,883 in 100% Federal share Temporary Assistance to Needy Families (TANF) funds to enhance non-residential services to victims of domestic violence; and

WHEREAS, the additional federal TANF funding is awarded for contract expansion for vendors with existing State approval to deliver non-residential services to victims of domestic violence; and

WHEREAS, the provisions of the award specifically prohibit the supplantation of existing funding agreements and also prohibit the use of funds for County government operations; and

WHEREAS, only new contractual services or expansion of existing contractual services are eligible for this funding, and the vendors used must be among those named in the Department's Consolidated Services Plan (CSP) approved by the State; and

WHEREAS, the Department wishes to also reallocate unexpended funding in its 2016 budget to address the problem of domestic violence within our community.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are hereby authorized to enter into or amend contracts with Child and Family Services, Crisis Services, Hispanics United and the Family Justice Center for expanded non-residential services to victims of domestic violence and, be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2016 Adopted Budget:

ACCOUNT	Department of Social Services, Fund 110, Department 120 DESCRIPTION	INCREASE/ (DECREASE)
516410	Child and Family Services	\$37,592
516410	Crisis Services	\$61,066
516410	Family Justice Center	\$18,708
516410	Hispanics United of Buffalo	\$7,296
911400	ID District Attorney Services	\$15,751
911500	ID Sheriff Division Services	\$3,470
	Total Expenditures	<u>\$143,883</u>
414000	Federal Aid	<u>\$143,883</u>
	Total Revenue	<u>\$143,883</u>

RESOLVED, that a interdepartmental agreement be established between the District Attorney and Social Services for non-residential services to victims of domestic violence; and be it further

RESOLVED, that a interdepartmental agreement be established between the Sheriff's Office and Social Services for non-residential services to victims of domestic violence; and be it further

RESOLVED, that because only State-approved providers of non-residential services to victims of domestic violence are eligible to receive these funds and because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived and, be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of Social Services, the Erie County Comptroller, the Director of the Division of Budget and Management and the District Attorney.

(5-0)

2. COMM. 18E-23 (2016)
COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services 2016 adopted County budget includes \$31,900 of New York State Office for the Aging (NYSOFA) funding for the Medicare Improvements for Patients and Provider Act (MIPPA) grant for the period September 30, 2016 through September 29, 2017; and

WHEREAS, the funds are to be utilized for the purpose of enhancing the Department's outreach efforts to beneficiaries on Medicare Part D, particularly those high need populations that traditionally have had difficulty accessing such services and benefits, as well as informing, all Medicare beneficiaries about Medicare prevention and wellness benefits; and

WHEREAS, the grant is 100% federally funded and does not require a local share; and

WHEREAS, the Department of Senior Services desires to contract, at a cost not to exceed \$7,500, with the Pride Center of Western NY, Inc., for the period after the effective date of this resolution through September 29, 2017, to identify and implement new strategies for improving public education and outreach for the LGBT community.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to enter into a contract, at a cost not to exceed \$7,500 with the Pride Center of Western NY, Inc., for the period after the effective date of this resolution through September 29, 2017 to identify and implement new strategies for improving public education and outreach for the LGBT community; and be it further

RESOLVED, that the contract be funded from existing appropriations in the 163MIPPA/ADRC1617 grant's Professional Services Contracts and Fees account (#516020); and be it further

RESOLVED, that the County Executive be and is hereby authorized to amend the contract to effectuate adjusted funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive Office, the Division of Budget and Management, the Comptroller's Office and the Department of Senior Services.

(5-0)

LYNNE M. DIXON
CHAIR

Item 30 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 236

September 29, 2016	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

- a. COMM. 18E-7 (2016)
COUNTY EXECUTIVE: “ECC-Erie County Joint Strategic Planning Committee”
(6-0)
2. COMM. 18E-6 (2016)
COUNTY EXECUTIVE
RESOLVED, the Erie County Legislature hereby confirms the appointment, upon the recommendation of the County Executive, of the following individuals to serve on the Buffalo and Erie County Public Library Board of Directors:
- | | |
|-------------------------|-------------------------|
| Frank Gist | Sheldon M. Berlow |
| 409 Wyoming Ave. | 33 Gates Circle |
| Buffalo, New York 14215 | Buffalo, New York 14209 |
- (6-0)

KEVIN R. HARDWICK
CHAIR

Item 31 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 237

September 29, 2016	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 18E-16 (2016)
MILLS, LORIGO, LOUGHRAN, DIXON, HARDWICK, MORTON, RATH, BURKE, GRANT, MILLER-WILLIAMS & SAVAGE: “Letter to John R. Oishei Foundation Regarding Conditional Release Program Funding”
(6-0)
- b. COMM. 18D-4 (2016)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(6-0)

KEVIN R. HARDWICK
CHAIR

Item 32 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 238

September 29, 2016	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 18E-15 (2016)
COMPTROLLER: "Letter to Chair Mills Regarding Executive Order #15 Supporting County Employees in Military Reserves"
(6-0)
 - b. COMM. 18D-3 (2016)
DEPARTMENT OF BUDGET & MANAGEMENT: "Budget Monitoring Report for Period Ending July 2016"
(6-0)
2. COMM. 1D-9 (2015)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 216133 through 216162, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR	2016	Petition No.	216,133.00
	ASSESSOR	Cancel	\$8,541.93
S-B-L	182.09-1-11.121/	5455 Southwestern	144889 HAMBURG
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$8,541.93 Town/SpecialDist/School
<u>Charge To :</u>	144889 HAMBURG		\$8,541.93
	Relevy School		\$8,541.93 144804 FRONTIER

CENTRAL

RPTL550(2): Error calculating STAR exemption
New tax bill to be issued

FISCAL YEAR	2016	Petition No.	216,134.00
	ASSESSOR	Cancel	\$223.77
S-B-L	161.20-4-6	83 Princeton Pl 146001	ORCHARD PARK
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$223.77 Town/SpecialDist/School
<u>Charge To :</u>	146001	ORCHARD PARK	\$223.77
	Relevy School		\$223.77 146001 ORCH PARK

CENTRAL

RPTL550(2): Error calculating vet exemption
New tax bill to be issued

FISCAL YEAR	2016	Petition No.	216,135.00
	ASSESSOR	Cancel	\$1,330.73
S-B-L	107.00-4-1	12066 Westwood R 142089	ALDEN
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$1,330.73 Town/SpecialDist/School
<u>Charge To :</u>	142089	ALDEN	\$1,330.73
	Relevy School		\$1,330.73 142001 ALDEN CENTRAL

RPTL550(2): Failed to apply exemptions
New tax bill to be issued

FISCAL YEAR	2016	Petition No.	216,136.00
	ASSESSOR	Cancel	\$186.46
S-B-L	56.08-4-6	39 Fennec Ln 142289	AMHERST
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$186.46 Town/SpecialDist/School
<u>Charge To :</u>	142289	AMHERST	\$186.46
	Relevy School		\$186.46 142203 WILLIAMSVILLE

CENT

RPTL550(2): Failed to apply vet exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,137.00

 ASSESSOR Cancel \$627.62
S-B-L 69.08-7-18 160 Patrice Terr 142289 AMHERST

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$627.62 Town/SpecialDist/School
Charge To : 142289 AMHERST \$627.62
 Relevy School \$627.62 142203 WILLIAMSVILLE

CENT

RPTL550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR 206 Petition No. 216,138.00

 ASSESSOR Cancel \$1,439.48
S-B-L 257.00-3-17.11 6061 Old Pfarner R 142600 BOSTON

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,439.48 Town/SpecialDist/School
Charge To : 142600 BOSTON \$1,439.48
 Relevy School \$1,439.48 144001 EDEN CENTRAL

RPTL550(2): Failed to apply ag exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,139.00

 ASSESSOR Cancel \$183.07
S-B-L 307.00-2-34.11 VL Sharp St 143889 CONCORD

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$183.07 Town/SpecialDist/School
Charge To : 143889 CONCORD \$183.07
 Relevy School \$183.07 143801 SPRING-GRIFFITH

RPTL550(2): Failed to apply ag exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,140.00

 ASSESSOR Cancel \$1,203.05
S-B-L 274.00-1-1.111 VL Springville Bos 143889 CONCORD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,203.05	Town/SpecialDist/School
<u>Charge To :</u>	143889 CONCORD	\$1,203.05	
	Relevy School	\$1,203.05	143801 SPRING-GRIFFITH

RPTL550(2): Failed to apply ag exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,141.00

ASSESSOR Cancel \$31.95
S-B-L 33.00-3-7.211 Bloomingdale Rd 145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$31.95	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$31.95	
	Relevy School	\$31.95	145601 AKRON CENTRAL

RPTL550(2): Erroe calculating exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,142.00

ASSESSOR Cancel \$326.99
S-B-L 103.09-2-4 19 Willow Wood D 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$326.99	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$326.99	
	Relevy School	\$326.99	143002 CHEEK. UNION #2

RPTL550(2): Failed to apply vet exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,143.00

ASSESSOR Cancel \$112.66
S-B-L 555.00-94-1.1 fiber optic lines 145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$112.66	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$112.66	
	Relevy School	\$112.66	145601 AKRON CENTRAL

RPTL550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,144.00

 ASSESSOR Cancel \$52.35
S-B-L 555.00-94-1.2 fiber optic lines 145601 AKRON

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$52.35 Town/SpecialDist/School
Charge To : 145601 AKRON \$52.35
 Relevy School \$52.35 142001 ALDEN CENTRAL

RPTL550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,145.00

 ASSESSOR Cancel \$41.99
S-B-L 555.00-94-1.3 fiber optic lines 145601 AKRON

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$41.99 Town/SpecialDist/School
Charge To : 145601 AKRON \$41.99
 Relevy School \$41.99 143201 CLARENCE

CENTRAL

RPTL550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,146.00

 ASSESSOR Cancel \$1,800.29
S-B-L 40.19-7-19 68 Beaumont Dr 142289 AMHERST

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,800.29 Town/SpecialDist/School
Charge To : 142289 AMHERST \$1,800.29
 Relevy School \$1,800.29 142207 SWEET HOME

CENTRAL

RPTL550(2): Failed to apply exemptions
New tax bill to be issued

S-B-L 55.20-11-29 111 Rue Madeleine 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,828.27	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$1,828.27
	Relevy School	\$1,828.27	142203 WILLIAMSVILLE

CENT

RPTL550(2): Failed to apply exemptions
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,151.00

ASSESSOR Cancel \$559.38
S-B-L 80.08-3-31 80 Pasadena Pl 142201 WILLIAMSVILLE

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$559.38	Town/SpecialDist/School
<u>Charge To :</u>	142201 WILLIAMSVILLE		\$559.38
	Relevy School	\$559.38	142203 WILLIAMSVILLE

CENT

RPTL550(2): Failed to apply basic STAR exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,152.00

ASSESSOR Cancel \$1,295.51
S-B-L 68.20-2-20 110 Reist St 142201 WILLIAMSVILLE

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,295.51	Town/SpecialDist/School
<u>Charge To :</u>	142201 WILLIAMSVILLE		\$1,295.51
	Relevy School	\$1,295.51	142203 WILLIAMSVILLE

CENT

RPTL550(2): Failed to apply exemptions
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,153.00

ASSESSOR Cancel \$680.25
S-B-L 84.00-4-30 1349 Ransom Rd 145289 LANCASTER

	Acct. No. 112	\$0.00	County
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	Acct. No. 132	\$680.25	Town/SpecialDist/School
<u>Charge To :</u>	145289 LANCASTER		\$680.25
	Relevy School	\$680.25	145201 LANCASTER

CENTRAL

RPTL550(7): Incorrect school district
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,154.00

	ASSESSOR	Cancel	\$758.41
S-B-L	114.18-7-8	48 Park Pl	143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$758.41	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA		\$758.41
	Relevy School	\$758.41	143001 CHEEKTO.

CENTRAL

RPTL550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,155.00

	ASSESSOR	Cancel	\$92.01
S-B-L	128.00-3-9	130 Ransom Rd	145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$92.01	Town/SpecialDist/School
<u>Charge To :</u>	145289 LANCASTER		\$92.01
	Relevy School	\$92.01	144201 IROQUOIS

CENTRAL

RPTL550(2): Failed to apply vet exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,156.00

	ASSESSOR	Cancel	\$1,749.83
S-B-L	203.00-1-2.11	12595 Warner Hill	146600 WALES

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,749.83	Town/SpecialDist/School
<u>Charge To :</u>	146600 WALES		\$1,749.83

Relevy School \$1,749.83 144201 IROQUOIS
CENTRAL

RPTL550(2): Failed to apply aged exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,157.00

ASSESSOR Cancel \$563.52
S-B-L 189.00-2-6.1 5462 Reiter Rd 146600 WALES

Acct. No. 112 \$0.00 County
Acct. No. 132 \$563.52 Town/SpecialDist/School
Charge To : 146600 WALES \$563.52
Relevy School \$563.52 144201 IROQUOIS

CENTRAL

RPTL550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,158.00

ASSESSOR Cancel \$563.51
S-B-L 190.00-1-4 5394 Merlau Rd 146600 WALES

Acct. No. 112 \$0.00 County
Acct. No. 132 \$563.51 Town/SpecialDist/School
Charge To : 146600 WALES \$563.51
Relevy School \$563.51 144201 IROQUOIS

CENTRAL

RPTL550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,159.00

ASSESSOR Cancel \$955.70
S-B-L 151.10-1-22 4324 Salem Dr 144889 HAMBURG

Acct. No. 112 \$0.00 County
Acct. No. 132 \$955.70 Town/SpecialDist/School
Charge To : 144889 HAMBURG \$955.70
Relevy School \$955.70 144804 FRONTIER

CENTRAL

RPTL550(2): Enhanced STAR removed in error
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,160.00

 ASSESSOR Cancel \$129.40
S-B-L 21.00-2-48.11 4647 Greenbush Rd145689 NEWSTEAD

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$129.40 Town/SpecialDist/School
Charge To : 145689 NEWSTEAD \$129.40
 Relevy School \$129.40 145601 AKRON CENTRAL

RPTL550(2): Incorrect assessment
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,161.00

 ASSESSOR Cancel \$1,032.81
S-B-L 33.00-5-16.1 13676 Bloomingdal145601 AKRON

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$1,032.81 Town/SpecialDist/School
Charge To : 145601 AKRON \$1,032.81
 Relevy School \$1,032.81 145601 AKRON CENTRAL

RPTL550(2): Failed to apply enhanced STAR exemption
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 216,162.00

 ASSESSOR Cancel \$100,929.85
S-B-L 555.00-65-1.3 Special Franchise 145689 NEWSTEAD

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$100,929.85 Town/SpecialDist/School
Charge To : 145689 NEWSTEAD \$100,929.85
 Relevy School \$100,929.8 143201 CLARENCE

CENTRAL

RPTL550(2): Incorrect assessment
New tax bill to be issued

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.

(6-0)

3. COMM. 18E-13 (2016)
COUNTY EXECUTIVE

WHEREAS, it is the mission of the Buffalo Erie Niagara Land Improvement Corporation (“land bank”) to confront and alleviate the problems distressed properties cause to communities by supporting municipal and regional revitalization efforts and strategically acquiring, improving, assembling, and selling distressed, vacant, abandoned, and/or tax-delinquent properties; and

WHEREAS, section 1616(i) of the New York Not-for-Profit Corporation Law provides that New York Land banks, including the Buffalo Erie Niagara Land Improvement Corporation, may tender a preemptive bid at In Rem tax sales in an amount equal to the total amount of all municipal claims and liens which were the basis for the judgment and in the event of such tender by a land bank, the property shall be deemed sold to the land bank regardless of any bids by any other third parties; and

WHEREAS, the bid of the land bank shall be paid as to its form, substance, and timing according to such agreement as is mutually acceptable to the plaintiff and the land bank wherein the obligation of the land bank to perform in accordance with such agreement shall be deemed to be in full satisfaction of the municipal claim which was the basis for the judgment; and

WHEREAS, it is anticipated that the Buffalo Erie Niagara Land Improvement Corporation will exercise its preemptive bid powers at the upcoming City of Buffalo In Rem tax sale; and

WHEREAS, agreements between the County and the Buffalo Erie Niagara Land Improvement Corporation are necessary to outline the obligations of the land bank and the expected repayment, if any, of the County taxes which were the basis for the judgment.

NOW, THEREFORE, BE IT

RESOLVED, that the County, through its Director of Real Property Tax Services, is hereby authorized to enter into agreements with the Buffalo Erie Niagara Land Improvement Corporation which outline the obligations of the land bank and the expected repayment, if any, of the County taxes which were the basis for the judgment consistent with the Property Tax and Maintenance/Foreclosure Cost Recapture Policy for the City of Buffalo In Rem Auction to be held on October 18-19, 2016; and be it further

RESOLVED, that to the extent that such agreement results in the repayment of County taxes in the amount less than the amount of County taxes which were the basis for the judgment, pursuant to Section 12-1.0 of the Erie County Tax Act the Director of Real Property Tax Services is hereby authorized to cancel such past due real property taxes; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Erie County Comptroller, County Attorney, Director of Real Property Tax Services and the Buffalo Erie Niagara Land Improvement Corporation.

(6-0)

4. COMM. 18E-14 (2016)
COUNTY EXECUTIVE

WHEREAS, pursuant to 21 U.S.C. § 881(e) and 19 U.S.C. § 1616 the US Department of Justice's guidelines for expenditure of seized assets allows for the transfer of monies to non-profit agencies whose missions are consistent with those of a law enforcement effort, policy, and/or initiative up to \$25,000 annually, and

WHEREAS, the Erie County District Attorney's Office has identified various organizations which meet the criteria necessary to receive said monies, and

WHEREAS, the source of funds for the above mentioned items will be paid from the District Attorney's asset forfeiture proceeds, and it is necessary to transfer funds from the Erie County District Attorney's Asset Forfeiture Trust Fund prior to their being expended.

NOW, THEREFORE BE IT

RESOLVED, that \$20,000 in available balances in the Erie County District Attorney's Assets Forfeiture Trust Fund are hereby transferred to the District Attorney's Assets Forfeiture Program, Funded Program "SAFDA", and be it further

RESOLVED, that the following appropriations are hereby authorized:

DISTRICT ATTORNEY ASSET FORFEITURE PROGRAM	
BUSINESS AREA: 114 COST CENTER: 1140010	
FUNDED PROGRAM /WBS ELEMENT: SAFDA	
<u>Revenue</u>	
421550 Forfeiture Crime Proceeds	<u>\$ 20,000</u>
Total Revenue	<u>\$ 20,000</u>
<u>Appropriation</u>	
516000 Non-profit Subsidy	<u>\$ 20,000</u>
Total Appropriations	<u>\$ 20,000</u>

and be it further,

RESOLVED, that the Erie County Legislature hereby authorizes one-time direct payments of Five Thousand (\$5,000) Dollars each to WNY Anti-Violence Project; Metro Community Development Corporation/Delavan Grider Community Center; Buffalo United Front; and Butler Mitchell Alumni Association – City Kids Summer Camp Program to be paid from account 516000 Non-Profit Subsidy; and be it further

RESOLVED, that the Director of Budget and Finance is hereby authorized to adjust SAFDA budgets as necessary during the year in order for the District Attorney's Office to enhance its investigative, surveillance and prosecutorial efforts, as the forfeiture regulations dictate, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget and Management.

(6-0)

5. COMM. 18E-17 (2016)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health's Division of the Medical Examiner is tasked with maintaining detailed records of all current and past cases; and

WHEREAS, technological changes have led to the office's current case management software becoming unsupported; and

WHEREAS, LabLynx Inc. has developed a proposal for a software and support package that will provide the Erie County Medical Examiner's Office with the tools it needs to continue to manage cases efficiently and professionally; and

WHEREAS, LabLynx's WebLIMS software and additional medical examiner and toxicological modules provide unique capabilities not found in other laboratory case management software which requires two separate systems; and

WHEREAS, WebLIMS meets all applicable accreditation standards and regulations; and

WHEREAS, LabLynx Inc. will provide specialized administrative and user training to existing employees of the Division of the Medical Examiner to transition to this new software; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with LabLynx Inc.; and be it further

RESOLVED, funding is available for this project via Capital Project A.11009 "Medical Examiner-Software Upgrade" and the Medical Examiner's Division's account 561410 Lab & Technical Equipment; and be it further

RESOLVED, that as a sole source supplier, the request for proposal is hereby waived for this contract; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, the Division of Information and Support Services and to Dr. Gale R. Burstein, Commissioner of Health.

(6-0)

JOSEPH C. LORIGO
CHAIR

Item 33 – MR. MORTON presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 239

September 29, 2016	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 15
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 17E-17 (2016)
COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Cured-in-Place Pipe Lining Project, Erie County Sewer District Nos. 2, 3 & 8, Contract No. 76 at 2:00 p.m. on Wednesday, September 14, 2016:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 76	Kenyon Pipeline Inspection LLC 68 Park Rd. Queensbury, NY 12804	\$602,485

; and

WHEREAS, the aforementioned lowest responsible bidder is recognized as a reputable contractor capable of completing this project; and

WHEREAS, the Division of Sewerage Management has determined that this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law; and

WHEREAS, the approved 2016 budget for 516020 (Professional Services) has adequate funds available in Sewer District No. 2 Cost Center 1821010 and Sewer District Nos. 3 & 8 Cost Center 1831010 for their respective shares of the project cost.

NOW, THEREFORE, BE IT,

RESOLVED, that the Cured-in-Place Pipe Lining Project, Erie County Sewer District Nos. 2, 3 & 8, Contract No. 76 be awarded as follows

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. 76	Kenyon Pipeline Inspection LLC 68 Park Rd. Queensbury, NY 12804	\$602,485

; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the costs associated with this project be allocated from the approved 2016 budget for 516020 (Professional Services) and divided between Sewer District No. 2 and Sewer District Nos. 3 & 8 based on cost of work within each district in the amounts of \$251,635 from Cost Center 1821010 and \$350,850 from Cost Center 1831010; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, the Director of Budget and Management, the County Comptroller, and Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th Floor.
(6-0)

2. **COMM. 18E-8 (2016)**
COUNTY EXECUTIVE

WHEREAS, the Town of Holland has scheduled improvements within sections of right-of-way; and

WHEREAS, these improvements require the adjustment of County sanitary sewer facilities located within the Town highway right-of-way at no cost to the County upon the review and approval of Erie County Sewer District No. 3; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has advised the Legislature that a Utility Work Agreement is ready to be entered into; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended to the Legislature that Erie County enter into the Utility Work Agreement.

NOW, THEREFORE BE IT

RESOLVED, that the Legislature approve the Erie County Department of Environment and Planning, Division of Sewerage Management entering into Utility Work Agreement for adjusting County sanitary sewer facilities located within the Town of Holland right-of-way at no cost to the County upon the individual approval of Erie County Sewer District No. 3; and be it further

RESOLVED, that the Commissioner of Environment and Planning is hereby authorized to sign the Utility Agreement allowing the Town of Holland to perform the necessary work required at no cost to the County; and be it further

RESOLVED, that the Commissioner of Environment and Planning is hereby authorized to sign the Utility Work Agreement with the understanding that the County will be obligated to

maintain the Erie County Sewer District No. 3 facilities adjusted via the Town-let contract; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(6-0)

3. COMM. 18E-9 (2016)

COUNTY EXECUTIVE

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ERIE COUNTY SEWER DISTRICT NO. 4 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) ____, 2016.

(Adopted) ____, 2016

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 4 of the County of Erie, New York, has heretofore been established and created on February 22, 1961 (the "District") to provide sewer services for portions of the Villages of Depew and Lancaster, and the Towns of Lancaster, West Seneca, Alden and Cheektowaga; and

WHEREAS, the Board of Managers of the District has duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of the District which report and estimate of cost have been approved by the Board of Managers of the District on June 22, 2016 and filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of the District, consisting of the following projects: (i) various pumping station improvements at the estimated maximum cost of \$2,400,000; (ii) various collection system/infiltration and inflow improvements at the estimated maximum cost of \$2,100,000; and (iii) improvements required by anticipated modification of the State Pollutant Discharge Elimination System permit for the Depew Overflow Retention Facility at the estimated maximum cost of \$1,500,000; all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of the facilities of the District is \$6,000,000, to be assessed against a benefited area which consists of the entire area of the District, as well as the contracting communities including Erie County Sewer District No. 1, West Seneca District No. 6, Cheektowaga Sewer District No. 3, and Lancaster town sewer districts, all in accordance with their respective proportionate shares of equalized assessed value in the District; and

WHEREAS, pursuant to Section 258 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the construction of said increase and improvement of facilities of the District because the \$10.32 cost thereof to the Typical

Property (as defined in the County Law) does not exceed the applicable threshold for Average Estimated Cost for County Districts on similar types of expenditures, which was computed by the State Comptroller to be \$12.00 for calendar year 2016; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement in accordance with the provisions of Section 254 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 26th day of October, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposed increase and improvement of facilities of Erie County Sewer District No. 4 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 26th day of October, 2016, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed increase and improvement of facilities of Erie County Sewer District No. 4 in said County.

The increase and improvement of such facilities consisting of the following projects: (i) various pumping station improvements at the estimated maximum cost of \$2,400,000; (ii) various collection system/infiltration and inflow improvements at the estimated maximum cost of \$2,100,000; and (iii) improvements required by anticipated modification of the State Pollutant Discharge Elimination System permit for the Depew Overflow Retention Facility at the estimated maximum cost of \$1,500,000, all as more fully described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Board of Managers of Erie County Sewer District No. 4 on June 22, 2016 (the "Report").

The maximum estimated cost of the aforesaid increase and improvement of the facilities of the District is \$6,000,000, to be assessed against a benefited area which consists of the entire area of the District, as well as the contracting communities including Erie County Sewer District No. 1, West Seneca District No. 6, Cheektowaga Sewer District No. 3, and Lancaster town sewer districts, all in accordance with their respective proportionate shares of equalized assessed value in the District.

The expenditures for such increase and improvement of facilities will not cause additional costs for property owners in the District for hook-up fees, and the annual cost of such expenditures to the Typical Property (as defined in the County Law) is \$10.32 for the District. The County Legislature has heretofore caused to be prepared and filed for public inspection with the Clerk of the Erie County Legislature, a detailed explanation of how such costs were computed, as incorporated in said report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning).

Dated: Buffalo, New York,

_____, 2016.

BY ORDER OF THE COUNTY LEGISLATURE OF
THE COUNTY OF ERIE, NEW YORK

By _____
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Amherst Bee" and in the "Challenger", the official newspapers of said County and in the "Depew Bee" a newspaper of general circulation, not less than ten nor more than twenty days before the date set herein for said public hearing. The Clerk is hereby further authorized and directed to file a certified copy of the Notice of Public Hearing with the Comptroller of the State of New York on or about the date of the publication of the Notice of Public Hearing.

Section 4. This resolution shall take effect immediately.
(6-0)

4. COMM. 18E-10 (2016)

COUNTY EXECUTIVE

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT NO. 6 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) ____, 2016.

(Adopted ____, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 6 of the County of Erie, New York, has heretofore been established, and

WHEREAS, such County Legislature has heretofore duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of said District No. 6 which report and estimate of cost have been approved by the Board of Managers of said District on June 21, 2016 and filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of said District No. 6 in said County, consisting of the following projects: (i) Waste Water Treatment Plant disinfection system at the estimated maximum cost of \$1,200,000; (ii) baseline Waste Water Treatment Plant projects at the estimated maximum cost of \$1,300,000; and (iii) inflow/infiltration pilot project and reduction program improvements at the estimated maximum cost of \$1,000,000; all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of the facilities of said Sewer District No. 6 is \$3,500,000 to be assessed against a benefited area which consists of the entire area of said Sewer District No. 6; and

WHEREAS, pursuant to applicable provisions of Section 268 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the expenditure of funds for said increase and improvement because the \$10.85 cost thereof to the Typical Property (as defined in the County Law) does not exceed the applicable threshold for Average Estimated Cost for County Districts on similar types of expenditures, which was computed by the State Comptroller to be \$12.00 for calendar year 2016; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement in accordance with the provisions of Section 254 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 26th day of October 2016, at 1:45 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposed increase and improvement of facilities of Erie County Sewer District No. 6 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 26th day of October 2016, at 1:45 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed increase and improvement of facilities of Erie County Sewer District No. 6 in said County.

The increase and improvement of such facilities consisting of the following projects: (i) Waste Water Treatment Plant disinfection system at the estimated maximum cost of \$1,200,000; (ii) baseline Waste Water Treatment Plant projects at the estimated maximum cost of \$1,300,000; and

(iii) inflow/infiltration pilot project and reduction program improvements at the estimated maximum cost of \$1,000,000; all as more fully described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Board of Managers of said District on June 21, 2016 (the "Report").

The maximum estimated cost of such increase and improvement of facilities is \$3,500,000, to be assessed against a benefited area which consists of the entire area of said Sewer District No. 6.

The expenditures for such increase and improvement of facilities will not cause additional costs for property owners in the District for hook-up fees, and the annual cost of such expenditures to the Typical Property (as defined in the County Law) is \$10.85 for the District. The County Legislature has heretofore caused to be prepared and filed for public inspection with the Clerk of the Erie County Legislature, a detailed explanation of how such costs were computed, as incorporated in the Report.

Dated: Buffalo, New York,
_____, 2016.

BY ORDER OF THE COUNTY
LEGISLATURE OF THE COUNTY OF ERIE,
NEW YORK

By _____
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Amherst Bee" and in the "Challenger", the official newspapers of said County, not less than ten nor more than twenty days before the date set herein for said public hearing. The Clerk is hereby further authorized and directed to file a certified copy of the Notice of Public Hearing with the Comptroller of the State of New York on or about the date of the publication of the Notice of Public Hearing.

Section 4. This resolution shall take effect immediately.
(6-0)

5. COMM. 18E-11 (2016)
COUNTY EXECUTIVE
EC SEWER DISTRICT NO. 1

RESOLUTION APPROVING THE EXTENSION OF ERIE COUNTY
SEWER DISTRICT NO. 1 AND MAKING OTHER
DETERMINATIONS IN CONNECTION THEREWITH

(Introduced) _____, 2016.
(Adopted) _____, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, a report of the Erie County Sewer Agency approved by

the Erie County Sewer District No. 1 Board of Managers on October 2, 2015, an extension of Sewer District No. 1 of the County of Erie, New York to include sanitary sewer service areas currently serviced as out of district customers has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 1, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 1 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned between real property in the District in the towns of Cheektowaga and West Seneca in accordance with their respective proportionate shares of equalized assessed value in the District and in accordance applicable flat charges and charges based on units, assessed value and footage, specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 1 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, said County Legislature duly adopted Resolution No. 109-2016 on the 9th day of June, 2016, calling a meeting of the County Legislature for the purpose of holding a public hearing on the aforesaid extension of Erie County Sewer District No. 1 in accordance with the aforesaid map and plan, and

WHEREAS, the Erie County Sewer District No. 1 Board of Managers and the County Legislature have given due consideration to the impact that the extension of Erie County Sewer District No. 1 may have on the environment and on the basis of such consideration, have found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Erie County Sewer District No. 1 Board of Managers and the County Legislature have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith; and

WHEREAS, said public hearing was duly held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof was submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at such public hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the public hearing held on July 6, 2016, and after due consideration of the map and plan, and other recommendations and other data, if any, heretofore provided to the County Legislature, it is hereby found and determined that:

- (a) the proposed extension is satisfactory, sufficient, adequate and appropriate;
- (b) all the property and property owners within the proposed extension are benefited thereby;
- (c) all the property and property owners benefited are included within the limits of the proposed extension;
- (d) it is in the public interest to extend said Erie County Sewer District No. 1.

Section 2. The extension of Erie County Sewer District No. 1 is hereby approved and said extension shall comprise an area described as follows:

- (a) Erie County Sewer District No. 1 Boundary Extension 2016— Portion A
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of lot number 71, Township 11, Range 7, of The Holland Land Company's Survey, and distinguished as Subdivision Lot Number Fourteen (14) as shown on Map entitled "Marywood Farms Part I" filed in the Erie County Clerk's Office under Cover Number 2354.

Erie County Sewer District No. 1 Non-Contiguous Boundary Extension 2016 Portion B

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie, State of New York, being part of lot numbers 125 & 126, Township 10, Range 7, of The Buffalo Creek Reservation, Bounded and described as follows:

Beginning at a point of intersection of the northerly line of Mineral Springs Road (66' Wide) and the westerly line of Harlem Road (100' Wide), Said point being the south east corner of lands recorded in the Erie County Clerk's Office in Liber 11105 of Deeds at Page 1333; Thence northwesterly along said northern line of Mineral Springs Road a distance of eight hundred twenty nine and nineteen hundredths feet (829.19') to an angle point; Thence continuing along said northern line of Mineral Springs Road in a southwesterly direction a distance of two hundred forty six and nineteen hundredths feet plus or minus (246.19'±) to a point, said point being the easterly bounds of The New York State (NYS) Thruway, Erie Section, map number 349 as shown on appropriation recorded in Liber 6015 of Deeds at Page 160, Said point also being the south west corner of lands described in Liber 10344 of deeds at Page 355; Thence northerly along said easterly bounds of NYS Thruway the following five courses and distances:

- 1) N 01°51'05" E, 204.60 feet to an angle point therein;
- 2) N 45° W, 40.00 feet to an angle point therein;
- 3) N 01°51'05" E, 70.00 feet to an angle point therein;
- 4) N 45° E, 40.00 feet to an angle point therein;

- 5) N 01°51'05" E 47.70± feet to a concrete monument at the southwest corner of lands recorded in Liber 8282 of Deeds at Page 131;

Thence continuing north along said NYS Thruway a distance of two hundred sixty six and fifteen hundredths feet (266.15') and one hundred forty four and fifty four hundredths feet plus or minus (144.54+/-) to the southwest corner of Liber 10413 of Deeds at page 529; Thence easterly along the southerly line of said deed a distance of three hundred forty two and thirty five hundredths feet (342.35') to a point, said point being on the west line of liber 11233 of Deeds at Page 5146, said point also being six hundred forty and fifty nine hundredths feet 640.59' west of the west right-of-way of Harlem Road being a 100' Road; Thence northerly along said west line of Liber 11233 Pg 5146 and its extension a distance of three hundred ninety feet plus or minus (390'±) to southerly top of bank of Buffalo Creek, Said point being the southwest corner of lands described in Liber 9958 of Deeds at Page 180; Thence northeasterly along said top of bank and following said deed nine hundred twenty five feet plus or minus (925+/-) to a point in the southwesterly line of land conveyed to County of Erie by Liber 5468 of Deeds at Page 252; Thence southeasterly along said southwest line of said deed thirty two and fifty hundreds feet (32.50') to an angle point in the west line of Harlem Road; Thence south along the west line of said Harlem Road the following distances, five hundred five and twenty two hundredths feet (505.22') and fourteen and thirty nine hundredths feet (14.39') to a point of curvature; Thence continuing southerly along the west line of said Harlem Road on a curve to the right having a radius of two thousand eight hundred fifteen feet (2815') an arc distance of one hundred twenty nine and twelve hundredths feet (129.12') to the south east corner of said Liber 9958 of Deeds at Page 180; Thence south along the west line of said Harlem Road a distance of one thousand two hundred seventeen and six hundredths feet (1,217.06') to the point of beginning.

- (b) Erie County Sewer District No. 1 Non-Contiguous Boundary Extension 2016
— Portion C

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie, State of New York, being part of Lot Number 129, Township 10, Range 7, of The Buffalo Creek Reservation, bounded and described as follows:

Beginning at a point in the northerly line of Mineral Springs Road (49.5' wide) a distant five hundred forty five and thirty eight hundredths feet (545.38') easterly from the point of intersection of the northerly line of Mineral Springs Road with the easterly line of South Ogden Street (60' wide), said point of beginning also being on the east line of the City of Buffalo; Thence running northerly along said east line of the City of Buffalo, two hundred twenty feet (220') to a point; Thence running easterly along a line parallel to the northerly line of Mineral Springs Road one hundred twenty five feet (125') to a point; Thence running southerly along a line parallel with the east line of the City of Buffalo two hundred twenty feet (220') to a point on the north bounds of Mineral Springs Road; Thence running westerly along said north bounds of Mineral Springs Road one hundred twenty five feet (125') to the point or place of beginning.

(c) Erie County Sewer District No. 1 Boundary Extension 2016 — Portion D
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga,
County of Erie, State of New York, Being part of Lot No. 65 & 86, Township 10,
Range 7 of the Buffalo Creek Reservation and being described as follows;

Beginning a point in the southerly line of Cayuga Creek Road (66' wide) where it
meets the northeast corner of lands conveyed to the County of Erie by Liber 10957
Page 1415; Thence southeasterly along the northerly line of said County of Erie lands
a distance of 500 feet to the center of Cayuga Creek and the PRINCIPLE POINT OF
BEGINNING, said point being on the Boundary Line of Erie County Sewer District
No. 1 Extension 1, Part A — Carefree Trailer Park as established November 16,
1978; Thence running southeasterly, northeasterly, Southerly, southwesterly, and
westerly along said centerline of Cayuga Creek and along said District Boundary as it
meanders a distance of 5370± feet to the west line of Lot No. 86; Thence north along
said west line a distance of 680± feet to the northwest corner of said Lot; Thence
continuing north along the west bounds of Lot No. 65 a distance of 600 feet to the
northwest corner of lands conveyed to the County of Erie by Liber 11231 Page 6452;
Thence east along the north line of said County lands a distance of 125.72 feet to the
northeast corner of said County lands; Thence north along the east line of lands
conveyed to Richard J. Viggato by Liber 11123 Page 6451 a distance of 170± feet to
a point 500 feet southeast from the southerly line of Cayuga Creek Road (66' wide),
said point being on the Erie County Sewer District No. 1 Boundary; Thence
northeasterly and parallel to said southerly line of Cayuga Creek Road and along said
District Boundary a distance of 608± feet to the principle point of beginning.

Section 3. There will be no additional capital costs incurred by or on behalf of the Erie
County Sewer District No. 1 with respect to the extension of the boundaries of such District, but
future annual charges will be apportioned between real property in the District in the towns of
Cheektowaga and West Seneca in accordance with their respective proportionate shares of equalized
assessed value in the District and in accordance applicable flat charges and charges based on units,
assessed value and footage, specified in the District's Benefit and User Charge formulas, as such
formulas currently exist and as amended from time to time.

Section 4. This resolution is subject to permissive referendum and the Clerk of the
Legislature is hereby authorized and directed to publish in full, within ten days after the adoption
hereof, a Notice containing a true copy of this resolution, the resolution number, the date of adoption
and a statement that such resolution is subject to permissive referendum.

EC SEWER DISTRICT NO. 2

RESOLUTION APPROVING THE EXTENSION OF ERIE COUNTY SEWER DISTRICT NO. 2 AND MAKING OTHER DETERMINATIONS IN CONNECTION THEREWITH

(Introduced) _____, 2016.

(Adopted) _____, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the
provisions of Article 5-A of the County Law, a report of the Erie County Sewer Agency approved by

the Erie County Sewer District No. 2 Board of Managers on October 8, 2015, an extension of Sewer District No. 2 of the County of Erie, New York to include sanitary sewer service areas currently serviced as out of district customers has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 2, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 2 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges and charges based on units, assessed value and footage, specified in the District's benefit assessment formula and rates, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 2 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, said County Legislature duly adopted Resolution No. 110-2016 on the 9th day of June, 2016, calling a meeting of the County Legislature for the purpose of holding a public hearing on the aforesaid extension of Erie County Sewer District No. 2 in accordance with the aforesaid map and plan, and

WHEREAS, the Erie County Sewer District No. 2 Board of Managers and the County Legislature have given due consideration to the impact that the extension of Erie County Sewer District No. 2 may have on the environment and on the basis of such consideration, have found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Erie County Sewer District No. 2 Board of Managers and the County Legislature have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith; and

WHEREAS, said public hearing was duly held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof was submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at such public hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the public hearing held on July 6, 2016, and after due consideration of the map and plan, and other recommendations and other data, if any, heretofore provided to the County Legislature, it is hereby found and determined that:

- (a) the proposed extension is satisfactory, sufficient, adequate and appropriate;
- (b) all the property and property owners within the proposed extension are benefited thereby;
- (c) all the property and property owners benefited are included within the limits of the proposed extension;
- (d) it is in the public interest to extend said Erie County Sewer District No. 2.

Section 2. The extension of Erie County Sewer District No. 2 is hereby approved and said extension shall comprise an area described as follows:

- (a) Erie County Sewer District No. 2 Boundary Extension 2016— Portion A
ALL THAT TRACT OR PARCEL OF LAND , situated in the Town of Evans, County of Erie, and State of New York, being part of Lot No. 63, Township 8, Range 9, of the Holland Land Company's Survey, Bounded and Described as follows; Bounded south by a line parallel with the south line of said Lot No. 63, seven hundred eight and eight four hundredths feet (708.84') north therefrom three thousand sixty seven and sixty eight hundredths feet (3,067.68'); west by Lot 73, one thousand two hundred sixty six and fifty four hundredths feet (1,266.54'); north by a line parallel with the north line of said Lot 63 three thousand fifty two and five tenths feet (3052.5'); and east by a line parallel with the east line of said Lot 63, one thousand two hundred sixty one and ninety two hundredths feet (1261.92').

ALSO ALL THAT TRACT OR PARCEL OF LAND, situated in the Town, County, and State aforesaid, known as a part of Lot No. 73, Township 8, Range 9, of the Holland Land Company's Survey, Bounded and Described as follows; Commencing at a point where the south bounds of the Buffalo and State Line Railroad intersects the north bounds of land previously owned by George Palmer (in 1851); running thence east along said north bounds to the west line of Lot 63; Thence north along said west line to where the said line intersects the southerly bounds of said Buffalo and State Line railroad; thence southwesterly along said southern bounds of said railroad to the place of beginning.

- (b) Erie County Sewer District No. 2 Non-Contiguous Boundary Extension 2016 - Portion B

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie, State of New York, Being part of Lot No. 4, Township 8, Range-9 of the Holland Land Company's Survey, bounded and described as follows;. Beginning in the east bounds of Lot No. 4, which line is also the Town Line between the Town of Evans and the Town of Eden, the centerline of Carpenter Road and the west line of Erie County Sewer District No. 2, at its intersection with the south line of lands conveyed to Erastus Harrington by deed recorded in the Erie County Clerk's Office in Liber 157 of Deeds at Page 335, Thence westerly along the south line of said Harrington lands two hundred feet (200') to a point; Thence southerly along a line parallel to the east line of Lot No. 4, six hundred eighty one and ninety nine hundredths feet (681.99') to the south west corner of lands conveyed to Robert K. and

Jean Robbins in Liber 11086 at Page 1566; Thence easterly along a line parallel to the south bounds of said Harrington lands two hundred feet (200') to the east line of Lot No. 4 and the west line of said Erie County Sewer District; Thence northerly along the east bounds of Lot No. 4 and District Boundary, six hundred eighty one and ninety nine hundredths feet (681.99') to the point and place of beginning.

(c) Erie County Sewer District No. 2 Non-Contiguous Boundary Extension 2016 — Portion C

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Brant, County of Erie and State of New York, Being part of Lot No. 2, Township 8, Range 9, of the Holland Land Company's Survey, Bounded and described as follows;

Beginning in the center line of Vermont Street extended (a proposed street (66' Wide), the center of which is an extension westerly of the center line of Vermont Street (49.5' Wide) as presently existing in the Village of North Collins), Distant three hundred four and one tenths feet (304.10') westerly of the east bounds of lot No. 2 as measured along the center line extension; Thence northerly at 90°20' to the center line of extension of Vermont Street a distance of two hundred twenty three and forty one hundredths feet (223.41') to a point in the south line of lands now or formerly owned by Taber recorded in the Erie County Clerk's office in Book 2335 of Deeds at page 21; Thence westerly along said south line a distance of three hundred thirty two and eighty five hundredths feet (332.85') to an angle point in lands now or formerly owned by Kerr described in Liber 162 of Deeds at page 588; Thence southerly along the east line of said Kerr lands a distance of two hundred twenty three and forty one hundredths feet (223.41') to a point in the center of the proposed Vermont. Street extension; Thence easterly along said proposed centerline a distance of three hundred thirty and sixty nine hundredths feet (330.69') to the point of beginning.

ALSO, ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Brant, County of Erie and State of New York, Being part of Lot No. 2, Township 8, Range 9, of the Holland Land Company's Survey, and also, situate in the Village and Town of North Collins, County of Erie and State of New York, Being part of Lot No. 63, Township 7, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

Beginning at a point in the center of Center Street in the Village of North Collins at the southwest corner of land now or formerly owned by Hibbard recorded in the Erie County Clerk's Office in Liber 993 of Deeds at Page 147; Thence northerly on the west line of 'said Hibbard's land one hundred thirty seven feet (137') to a point; Thence westerly parallel with the centerline of Center Street one hundred thirty eight and five tenths feet (138.50') to the east line of a proposed street; Thence southerly parallel to the first mentioned line one hundred thirty seven feet (137') to the centerline of Center Street; Thence easterly along the centerline of Center Street one hundred thirty eight and five tenths feet (138.50') to the place of beginning.

(d) Erie County Sewer District No. 2 Boundary Extension 2016 — Portion D

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of North Collins, County of Erie and State of New York, Being part of Lot No. 55, Township 7, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at the point of intersection of the west line of Lot number 55 with the center line of Thiel Road; Thence north along said west line of Lot number 55 three hundred thirty feet (330') to a point; Thence, easterly at a right angle to said west line a distance two hundred sixty four feet (264') to a point; Thence southerly at a right angle to the last mentioned line and parallel to said west line of said Lot 55 a distance of five hundred eleven and forty four hundredths feet (511.44') to the center line of Thiel Road; Thence northwesterly along the center line of Thiel Road three hundred twenty and thirty four hundredths feet (320.34') to the point of beginning.

(e) (Erie County Sewer District No. 2 Boundary Extension 2016 — Portion E
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of North Collins, County of Erie and State of New York, Being part of Lot No. 56, Township 7, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at point at the southwest corner of Lot No. 56 in the centerline of School Street, said point being on the east line of Erie County Sewer District No. 2 and also being the southwest corner of lands conveyed to Frank Martin and Emma Martin, his wife, by deed recorded in liber 3284 of deeds at page 194 of which lands the herein described parcel is a part; Thence running easterly along the south bounds of Lot No. 56 and the centerline of School Street a distance of two hundred ten feet (210') to a point; Thence running northerly at right angles to said centerline a distance of three hundred sixty feet (360') to a point; Thence running westerly at right angles and parallel to the south bounds of Lot No. 56 a distance of two hundred seven and forty nine hundredths feet (207.49') to the west line of Lot No. 56 and the east line of said District No. 2 ; Thence running southerly along said lines a distance of three hundred sixty and one hundredth feet (360.01') to the place of beginning.

(f) Erie County Sewer District No. 2 Boundary Extension 2016 — Portion F

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Eden, County of Erie and State of New York, Being part of Lot No. 43, Township 8, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

Beginning at a point in the east line of Lot No. 43, said line being the center line of Sandrock Road, 1052.50 feet south of the northeast corner of said Lot said point being a southeast corner of Erie County Sewer District No. 2; Thence southerly along the east line of said lot a distance of one hundred forty seven and five tenths feet (147.50') to the north line of lands owned by David & Karen Thompson by Liber 10950 Page 7250; Thence running easterly along the north line of said Thompson lands a distance of four hundred thirty two feet (432') to the northwest corner of said Thompson; Thence running northerly parallel to the east line of said Lot No. 43 a distance of one hundred sixty seven and nine hundredths feet (167.09') to a point in the north bounds of lands conveyed to Edwin and Joyce Walker by deed recorded in the Erie County Clerk's Office in Liber 6930 of deeds at page 285, said point also

being on the south line of said District No. 2; Thence running easterly along the north bounds of said Walker lands and District line a distance of four hundred thirty one and seventy six hundredths feet (431.76') to the place of beginning.

ALSO INCLUDING ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Eden, County of Erie and State of New York, Being part of Lot No. 43, Township 8, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the east line of Lot No. 43, said line being the center line of Sandrock Road, 1490 feet south of the northeast corner of said Lot No. 43; Thence, running westerly a distance of four hundred five and six tenths feet (405.60') to a point; Thence running southerly and parallel to the east line of Lot No. 43, a distance of two hundred twenty two and eighty one hundredths feet (222.81') to the south line of lands conveyed to Edwin & Joyce Walker by deed recorded in the Erie county Clerk's Office in Liber 6930 of deeds at page 285; Thence running easterly and along said Walker lands a distance of four hundred five and thirty five hundredths (405.35') to the east line of said Lot No. 43; Thence running northerly along the east line of Lot No. 43 a distance of two hundred thirty five and nine tenths feet (235.90') to the point of beginning.

EXCEPTING THEREFROM that part conveyed to Mary A. Cerne by deed recorded in Liber 9587 of deeds at Page 202.

ALSO INCLUDING ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Eden, County of Erie and State of New York, Being part of Lot No. 43, Township 8, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

Beginning at a point in the east line of Lot No. 43, said line being the center line of Sandrock Road, 1725.90 feet south of the northeast corner of said Lot No 43; Thence westerly parallel with the north line of said Lot 43 and along the south line of lands conveyed to Godfrey Metz a distance of nine hundred ninety three and ninety-six hundredths feet (993.96') to the lands of Charles Peek; Thence southerly parallel with the east line of said Lot and along the said Peek property a distance of three hundred twenty six and twenty seven hundredths feet (326.27') to lands now or formerly owned Cyrus Pound; Thence easterly parallel with the north line of said Lot and along the north line of said Pound property a distance of nine hundred ninety three and ninety-six hundredths feet (993.96') to the east line of said Lot 43; Thence northerly along said east line a distance of three hundred twenty five and eleven hundredths feet (325.11') to the point or place of beginning.

EXCEPTING and reserving from the above described premise that part thereof conveyed to Fredrick and Elizabeth Sandrock, by deed Liber 1020 Page 285 and also excepting therefrom that portion conveyed to George and Virginia Corsun by Liber 9597 Page 416.

(g) Erie County Sewer District No. 2 Boundary Extension 2016 — Portion G

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Eden, County of Erie and State of New York, Being part of Lots No. 27 & 35, Township 8, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point on the north line of Farm Lot 35, said point being 400 feet east of the northwest corner of lands owned by Richard Cain & Russell Joy by Liber 7594 Page 519 (as measured along the north line of said Lot 35), said point being on the south line of Erie County Sewer District No. 2 and south line of Map Cover 2565 entitled "Oakhill Phase II"; Thence south $89^{\circ}-47'-36''$ east along said lines a distance of 2084.53 feet; Thence south $00^{\circ}-01'-08''$ east a distance of 1073.55 feet; Thence south $89^{\circ}-53'-43''$ west a distance of 2483.93 feet; Thence north $00^{\circ}-03'-00''$ west a distance of 434.88 feet; Thence south $89^{\circ}-47'-36''$ east a distance of 400 feet; Thence north $00^{\circ}-02'-01''$ west a distance of 649 feet to the point of beginning.

(h) Erie County Sewer District No. 2 Boundary Extension 2016 — Portion H

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of North Collins, County of Erie and State of New York, Being part of Lot No. 62, Township 7, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point on the west line of the Town of North Collins a distant of four hundred ninety two and thirty six hundredths feet (492.36') south from the north line of Lot No. 62 as measured along said west Town Line, said point also being the southwest corner of Erie County Sewer District No. 2; Thence easterly and parallel to the north line of said Lot No. 62 and along said District Boundary a distance of nine hundred forty two and fifty three hundredths feet (942.53') to the former Erie Railroad's Company right of way; Thence southerly along said Railroad right of way a distance of five hundred seventy nine feet (579') to a point; Thence westerly parallel to the north bounds of Lot No. 62 a distance of two hundred fifty eight and fifty three hundredths feet (258.53') to the center line of Buffalo-Gowanda Road; Thence northerly along the centerline of said Buffalo-Gowanda Road a distance of seventy three and sixty one hundredths feet PLUS OR MINUS (73.61'±) to the point of intersection of the south bounds of lands deeded to Joseph and Karen Seggio recorded in the Erie County Clerk's Office in Liber 9753 of Deeds at Page 336, and the center line of said Buffalo-Gowanda Road; Thence westerly along said Seggio's South line and parallel to the north line of Lot No. 62, a distance of five hundred twenty two and eighty nine hundredths feet (522.89') to the west line of the Town of North Collins; Thence northerly along said west line of the Town of North Collins a distance of four hundred nineteen and forty three hundredths feet (419.43') to the point of beginning.

(i) Erie County Sewer District No. 2 Boundary Extension 2016 — Portion I

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York, Being part of Lots No. 42, Township 9, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the center of Versailles Road where it intersection northeast corner of lands conveyed to Thomas Doherty in Liber 11230 of Deeds at

Page 8317; Thence northwesterly along said Doherty's north line and perpendicular to the center line of Versailles Road a distance of one hundred sixty eight and ninety five hundredths feet plus or minus ($168.95\pm'$) to a point in the southeast line of land owned and occupied by the Western New York and Pennsylvania Railroad Company recorded in Liber 927 of Deeds at Page 475; Thence southwesterly along said southeast line of said Western New York and Pennsylvania Railroad Company one thousand two hundred fifty six and sixteen hundredths feet plus or minus ($1256.16\pm'$) to the southwest corner of lands conveyed to Kenneth Bossert in Liber 11070 of Deeds at Page 6446; Thence easterly along said Bosserts south line and Railroad boundary thirty two and sixty two hundredths feet plus or minus ($32.62\pm'$) to the northwest corner of lands conveyed to Paul Baryza in Liber 11205 of Deeds at Page 75; Thence southwesterly along the southeast line of said Western New York and Pennsylvania Railroad Company a distance of three hundred twenty one and seventy nine hundredths feet plus or minus ($321.79\pm'$) to the southwest corner of lands described in an Out of District Agreement in Liber 10316 of Deeds at Page 276; Thence southeasterly along the south line of said Agreement three hundred five and seventy one hundredths feet plus or minus ($305.71\pm'$) to the to the center line of Versailles Road, said center line also being west line of Erie County Sewer District No. 2 at this location; Thence northeasterly along said center and District line eight hundred sixty six feet plus or minus ($866\pm'$) to the south west corner of an Out of District Agreement in Liber 10745 Page 799, said corner also being north west corner of said Erie County Sewer District No. 2; Thence west along the south line of said Agreement and north line of said District one thousand two hundred four and four tenths feet ($1,204.4'$) to the south east corner of said Agreement; Thence north along the east line said Agreement three hundred twenty and four tenths feet to the north east corner of said Agreement; Thence west along the north line of said Agreement nine hundred sixty four and nine tenths feet to the centerline of Versailles Road and the north west corner of said. Agreement; Thence northeast along said centerline three hundred one and forty seven hundredths feet plus or minus to the point of beginning.

(j) Erie County Sewer District No. 2 Boundary Extension 2016 — Portion J

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York, Being part of Lot No. 27, Township 8, Range 9, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the north line of Lot No. 27 a distance of 1401.68' west of the northeast corner of Lot No. 27, the northeast corner of said lot being in the center of Versailles Plank Road; Thence westerly on the north line of Lot No. 27 a distance of 817.50 feet to the northeast corner of lands conveyed to William Luckcuck by deed recorded in the Erie County Clerk's Office in Liber 123 of Deeds at Page 476; Thence southerly parallel to the east line of Lot No. 27 and along the east line of said Luckcuck lands a distance of $3503\pm'$ feet to the North line of Erie County Sewer District No. 2, said line being 450 feet and parallel to the centerline of Eden-Evans Center Road; thence east along said District line a distance of $192\pm'$ feet to the northwesterly line of Southwestern Boulevard (100' wide); Thence northeasterly along the northwesterly line of Southwestern Boulevard a distance of $1067\pm'$ feet to

the west line of a parcel conveyed to Maplewood Construction Corp by Liber 10111 at Page 373; Thence north along said west line and parallel to the east line of Lot No. 27 a distance of 2757.01 feet to the north line of said Lot No. 27 being the point of beginning.

Section 3. There will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 2 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges and charges based on units, assessed value and footage, specified in the District's benefit assessment formula and rates, as such formulas currently exist and as amended from time to time.

Section 4. This resolution is subject to permissive referendum and the Clerk of the Legislature is hereby authorized and directed to publish in full, within ten days after the adoption hereof, a Notice containing a true copy of this resolution, the resolution number, the date of adoption and a statement that such resolution is subject to permissive referendum.

EC SEWER DISTRICT NO. 3
RESOLUTION APPROVING THE EXTENSION OF ERIE COUNTY
SEWER DISTRICT NO. 3 AND MAKING OTHER
DETERMINATIONS IN CONNECTION THEREWITH

(Introduced) ____, 2016.

(Adopted) ____, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, a report of the Erie County Sewer Agency approved by the Erie County Sewer District No. 3 Board of Managers on December 9, 2015, an extension of Sewer District No. 3 of the County of Erie, New York to include sanitary sewer service areas currently serviced as out of district customers has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 3, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 3 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage, specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 3 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, said County Legislature duly adopted Resolution No. 111-2016 on the 9th day of June, 2016, calling a meeting of the County Legislature for the purpose of holding a public

hearing on the aforesaid extension of Erie County Sewer District No. 3 in accordance with the aforesaid map and plan, and

WHEREAS, the Erie County Sewer District No. 3 Board of Managers and the County Legislature have given due consideration to the impact that the extension of Erie County Sewer District No. 3 may have on the environment and on the basis of such consideration, have found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Erie County Sewer District No. 3 Board of Managers and the County Legislature have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith; and

WHEREAS, said public hearing was duly held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof was submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at such public hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the public hearing held on July 6, 2016, and after due consideration of the map and plan, and other recommendations and other data, if any, heretofore provided to the County Legislature, it is hereby found and determined that:

- (a) the proposed extension is satisfactory, sufficient, adequate and appropriate;
- (b) all the property and property owners within the proposed extension are benefited thereby;
- (c) all the property and property owners benefited are included within the limits of the proposed extension;
- (d) it is in the public interest to extend said Erie County Sewer District No. 3.

Section 2. The extension of Erie County Sewer District No. 3 is hereby approved and said extension shall comprise an area described as follows:

- (a) Erie County Sewer District No. 3 Boundary Extension 2016— Portion A
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York, Being part of Lot No.18, Township 9, Range 8, of the Holland Land Company's Survey and being Subdivision Lot No. 5 as shown on map filed in the Erie County Clerk's Office under Map Cover No. 3110 "Strawberry Fields Part 2".

(b) Erie County Sewer District No. 3 Non-Contiguous Boundary Extension 2016
- Portion B

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York, Being part of Lot No. 9, Township 9, Range 8; of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING in the center of Gowanda State Road two hundred ten feet (210') northeasterly from the northeast corner of land conveyed by Charles H. Haushalter, George J. Haushalter, and William D. Haushalter, to Glenn W. Haushalter, and Dorthea L. Haushalter by deed recorded in the Erie County Clerk's Office in Liber 3471 of Deeds at Page 229; Thence northeasterly along the center of Gowanda State Road two hundred fifty one and fifty two hundredths feet plus or minus (251.52'±) to the south line of lands now or formerly owned by Jeffrey and Kristen Farrell recorded in Liber 11089 of Deeds at Page 9269, said line also being the south line of Erie County Sewer District No. 3; Thence northwesterly along said lines a distance of four hundred eighty seven and sixty four hundredths feet plus or minus (487.64'±) to the easterly line of lands formerly owned by Eugene D. Hofeller; Thence southwesterly along the east line of said Hofeller lands two hundred forty one and sixty two hundredths feet plus or minus (241.62'±) to the northwesterly corner of lands now or formerly owned by the Old Time Baptist Church recorded in Liber 10303 of Deeds at Page 368; Thence southeasterly four hundred ninety seven and sixty four hundredths feet (497.64') to the Center Line of Gowanda State Road being the point of beginning.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York, Being part of Lot No. 9, Township 9, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the easterly line of Gowanda State Road (66' wide) at a distance of one hundred thirty and eighty seven hundredths feet (130.87') as measured along the easterly line of said road from the north line of lands conveyed to Charles H. Haushalter by deed recorded in Liber 1112 of Deeds at Page 117; Thence northwesterly at right angle to said east line thirty three feet (33') to the center line of Gowanda State Road; Thence southwesterly along said centerline ninety three feet (93'); Thence southeasterly at right angles to said Road two hundred thirty three feet (233'); Thence northeasterly parallel to Gowanda State Road one hundred one and twenty four hundredths (101.24'); Thence westerly parallel to the north line of land conveyed to said Haushalter a distance of twenty one and thirty six hundredths feet (21.36'); Thence northwesterly a distance of one hundred eighty and three tenths feet (180.3') to the point of beginning.

(c) Erie County Sewer District No. 3 Non-Contiguous Boundary Extension 2016
— Portion C

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Eden, County of Erie and State of New York, being part of Lots No. 52 & 53, Township 8, Range 7, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the south bounds of Lot No. 53 at the northwest corner of subdivision Lot No. 12 as shown on Map Cover No. 2270, said point being on the north line of Erie County Sewer District No. 3; Thence northerly a distance of four hundred thirty and fifty three hundredths feet (430.53') to the northwest corner of lands conveyed to James and Carol Overhoff by deed recorded in Liber 10884 of Deeds at Page 5037; Thence easterly parallel to the south bounds of Lot No. 53 a distance of three hundred three and forty three hundredths feet (303.43') to a point; Thence southerly parallel to the west bounds of Lot No. 53 a distance of four hundred thirty and fifty three hundredths feet (430.53') to the south bounds of Lot No. 53; Thence easterly along said Lot line a distance of two hundred seventy six and seventeen hundredths feet (276.17') to the northeast corner of lands conveyed to Melissa McCann recorded in Liber 11169 of Deeds at Page 4679; Thence southwesterly along the southeast line of said McCann lands a distance of two hundred eighty four feet (284') to a point; Thence west perpendicular to the east bounds of Mary Drive turn-around as deeded to the Town of Eden in Liber 7710 page 599 a distance of two hundred forty and six tenths feet (240.6') to said east bounds, said east bounds also being the east line of said Erie County Sewer District No. 3; Thence north along said east line a distance of thirty feet (30'); Thence west along the north line of Mary Drive turn-around and District Boundary a distance of sixty feet (60') to the east line of Sub Lot 12; Thence northerly along said east line and District line a distance of one hundred eighty five and forty six hundredths feet (185.46') to the south line of Lot No..53; Thence westerly along said Lot line, District Line and the north bounds of Sub Lot No. 12 a distance of one hundred feet (100') to the point of beginning.

(d) Erie County Sewer District No. 3 Boundary Extension 2016 — Portion D
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Eden, County of Erie and State of New York, being part of Lot No. 5, Township 8, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at the point of intersection of the centerline of East Eden Road, also being the east line of Lot No. 5, and the south line of lands conveyed to Clemens and Rose Mammoser by deed recorded in the Erie County Clerk's Office in Liber 1119 of Deeds at Page 305; Thence westerly along said south line a distance of one hundred seventy five feet (175') to a point; Thence northerly parallel with the east line of Lot No. 5 a distance of eighty feet (80') to a point, said point being on the south line of Erie County Sewer District No. 3; Thence easterly parallel to the south line of said Mammoser along the south line of said District No. 3 a distance of one hundred seventy five feet (175') to the east line of Lot No. 5, said line also being the centerline of said East Eden Road; Thence southerly along said lines a distance of eighty feet (80') to the point of beginning.

(e) (Erie County Sewer District No. 3 Boundary Extension 2016 — Portion E

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Eden, County of Erie and State of New York, being part of Lot No. 6, Township 8, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the center of Schweikert Rd (AKA Hardt Rd) a distant of one thousand six hundred twenty six and nine tenths feet (1626.9') west of the intersection of said center line with the east line of Lot No. 6, said point of beginning being the northeast corner of lands conveyed to Louis Gurbacki and wife by deed recorded in the Erie County Clerk's Office in Liber 4681 of Deeds at Page 594; Thence south along the east line of said Gurbacki and said east line extended southerly a distance of two hundred feet (200'); Thence west parallel to the south line of said Gurbacki lands a distance of one hundred forty seven and six tenths feet (147.60') to the east line of lands conveyed to Sylvester Bauer by deed recorded in Liber 4574 of Deeds at Page 530; Thence southerly along the east line of said Bauer lands a distance of seven hundred sixty nine and nine tenths feet (769.90') to the north line of lands now or formerly owned by Albert Castle; Thence east along said Castle's north line a distance of five hundred fifty eight and forty six hundredths feet (558.46'); Thence north on a straight line a distance of seven hundred five and sixty four hundredths feet (705.64') to the southeast corner of lands conveyed to John Fenik and wife by deed recorded in Liber 5796 of Deeds at Page 100; Thence west along the south line of said Fenik lands a distance of one hundred sixty five feet (165') to the south west corner thereof; Thence north along the west line of said Fenik lands a distance of two hundred sixty four feet (264') to the center of Schwikert Rd (AKA Hardt Rd); Thence west along said center line a distance of two hundred sixteen and twenty four hundredths feet (216.24') to the point of beginning.

(f) Erie County Sewer District No. 3 Boundary Extension 2016 — Portion F

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot No. 28, Township 9, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the center of Amsdell Road (66' wide) at the northeast corner of E.H. Parker's land, said point being on the south line of Erie County Sewer District No. 3; Thence southerly along Parker's east line a distance of thirty six and sixty five hundredths feet (36.65') to the intersection of the westerly line of the Southwestern Boulevard (100' wide); Thence southwesterly along said westerly line of said Southwestern Boulevard a distance of one hundred thirty feet (130'); Thence westerly along the south line of lands conveyed to Diarmuid Flanagan by deed recorded in the Erie County Clerk's Office in Liber 10949 of Deeds at Page 4472 a distance of two hundred ninety three feet (293') to the southwest corner of said lands; Thence northeasterly a distance of one hundred thirteen feet (113') to the centerline of Amsdell Road, said line also being the south line of said District No. 3; Thence east along said lines a distance of three hundred twenty and two tenths feet (320.20') to the point and place of beginning .

(g) Erie County Sewer District No. 3 Boundary Extension 2016 — Portion G

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Orchard Park, County of Erie and State of New York, being part of Lot No. 12, Township 9, Range 7, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the east line of Chestnut Ridge Road as widened by notice of appropriation recorded in the Erie County Clerk's Office in Liber 6911 of Deeds at, Page 451, Map No. 113, Parcel No. 36 at the southwest corner of lands conveyed to John and Maureen Anderson by deed recorded in Liber 10283 of Deeds at Page 633; Thence northerly along the east line of said map 113, parcel 36, a distance of one hundred ten feet (110') to a point; Thence easterly at right angles a distance of three hundred forty and ninety one hundredths feet (340.91') to a point in the west line of lands conveyed to Robert Russer by deed recorded in Liber 8708 of Deeds at Page 401; Thence southeasterly along the west line of said Russer's lands a distance of one hundred ten and twenty seven hundredths feet (110.27') to the south east corner of said Anderson's land; Thence westerly at an interior angle of 94° 41' 36" and along the south line of Anderson's Land a distance of three hundred forty nine and ninety four hundredths feet (349.94') to the east line of Chestnut Ridge Road and the point of beginning.

(h) Erie County Sewer District No. 3 Boundary Extension 2016 — Portion H

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Orchard Park, County of Erie and State of New York, being part of Lot No. 43, Township 9, Range 7, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at the intersection of the centerline of Abbott Rd with the south line of Best Street (60' Wide) as extended easterly; Thence westerly along said extended south line of Best Street a distance of sixty three and five tenths feet plus or minus (63.5'±) to the west line of the Town of Hamburg, said line being the east line of Erie County Sewer District No. 3; Thence southerly along the west line of the Town of Hamburg and said District line a distance of one thousand four hundred fifty two and two tenths feet plus or minus (1452.2'±) to the point of intersection of the west Line of the Town of Hamburg and the south line of Sub Lot No. 32 of Rolling Ridge Estates Phase III as recorded in the Erie County Clerk's Office under Map Cover No. 3181; Thence east along said south line and the south line of lands conveyed to the Diocese of Buffalo by deed recorded in Liber 6192 of Deeds at Page 47 a distance of seven hundred seventy five and eighty five hundredths feet plus or minus (775.85'±) to the center line of Abbott Road; Thence northwesterly along the center line of Abbott Road a distance of one thousand six hundred thirty seven and eighty five hundredths feet plus or minus (1637.85'±) to the point and place of beginning.

(i) Erie County Sewer District No. 3 Boundary Extension 2016 — Portion I

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot No. 368, Township 10, Range 7, of the Buffalo Creek Reservation, Bounded and described as follows;

BEGINNING in the southwest boundary of Orchard Park Road (66 feet wide) at its intersection with the north line of Lot 368; Thence southeasterly along said southwest highway bounds a distance of eight hundred eighty nine and nine hundredths feet plus or minus (889.09'±) to the north line of lands conveyed to Marshall A. Lewis recorded in Liber 9290 of deeds at page 123; Thence westerly along the north line of Lewis a distance of one hundred sixty seven and fifty two hundredths feet (167.52') to the northwest corner of said Lewis; Thence southerly along the westerly line of Lewis a distance of two hundred eight and seven hundredths feet plus or minus (208.07'±) to the south line of Lot 368; Thence west along the south line of said Lot 368 a distance of three hundred twenty four feet plus or minus (324.0'±) to a point four hundred feet (400') southwestly from the southwest boundary of Orchard Park Road, measured at right angles thereto, said point also being on the northeast boundary of Erie County Sewer District No. 3; Thence northwesterly along said District Boundary Line and parallel to Orchard Park Road a distance of one thousand ninety-eight and seventy five hundredths feet plus or minus (1,098.75'±) to the north line of Lot 368; Thence easterly along said north line a distance of three hundred ninety seven and eight three hundredths feet plus or minus (397.83'±) to where it intersects the northerly line of lands conveyed to Scott Eggleston and Diane Pulinski recorded in Liber 11096 Page 1478; thence northeasterly along said northerly line a distance of seventy seven and twenty nine hundredths feet (77.29') to the southwest line of Orchard Park Road.; Thence southeasterly along said southwest line of Orchard Park Road a distance of forty six and ninety five hundredths feet (46.95') to the point and place of beginning.

(j) Erie County Sewer District No. 3 Boundary Extension 2016 — Portion J

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot No. 293, 294 & 317, Township 10, Range 7, of the Buffalo Creek Reservation, Bounded and described as follows;

BEGINNING at a point in the easterly line of Langner Road (now abandoned) 176.18' north of its intersection with the north line of Ridge Road (80' wide); Thence northerly along said easterly line of Langner Road two hundred five and twenty seven hundredths feet (205.27') to the southeasterly line of lands conveyed to The Niagara, Lockport, and Ontario Power Company by deed recorded in the Erie County Clerk's Office at Liber 1519 of Deeds at Page 318; Thence northerly along said southeasterly line, four hundred one and ninety seven hundredths feet (401.97') to a point; Thence west continuing on said lands twenty one and ninety eight hundredths feet (21.98') to the southeast corner of lands conveyed to The Niagara, Lockport, and Ontario Power Company by deed recorded in Liber 1041 of Deeds at Page 510; Thence northeasterly along the southeasterly line of said lands conveyed in Liber 1041 of Deeds at Page 510, seven hundred thirteen and two tenths feet plus or minus (713.2'±) to the southwestly line of lands acquired by the State Of New York and described as being parcels 8 & 9 P.S.C. Case No. 5998; Thence southeasterly along said southwestly line one hundred fifty one and sixty four hundredths feet (151.64') to the westerly line of lands conveyed to The Niagara Mohawk Power Company by deed recorded in Liber 6456 of Deeds at Page 13 and by deed recorded in Liber 6461 of Deeds at Page 29; Thence south along said Niagara Mohawk Company's west line

one thousand forty one and ninety nine hundredths feet. (1041.99') to the north east corner of lands conveyed to Sambo Enterprises in Liber 8391 Page 357; Thence west along the north line of said Sambo two hundred feet (200') to the north west corner of said Sambo; Thence south along the west line of said Sambo and its extension two hundred, ninety six feet plus or minus (296'±) to the center line of Ridge Road; Thence west along said center line two hundred one feet plus or minus (201'±) to where it intersects the current center line of the southerly portion Langner Road extended north; Thence southerly along said center line of Langner Road the following four distances, (1) one hundred eighty nine feet plus or minus (189'±), (2) one hundred seventeen feet plus or minus (117'±), (3) an arc distance of three hundred one feet plus or minus (301'±), (4) three hundred two feet plus or minus (302'±) to the southeast corner of lands owned by RB-3 Associates by Liber 10898 Page 4264; Thence west along the south line of said RB-3 Associates and its extension west five hundred fifty eight and eighty nine hundredths feet (558.89') to the east line of Niagara, Lockport and Ontario Power Company by Liber 1726 Page 40; Thence northeast along said east line nine hundred eighteen feet plus or minus (918'±) to the center line of Ridge Road; Thence east along said center line two hundred forty nine feet plus or minus (249'±) to the east Right of Way of now abandoned Langner Road extended south to the center line of Ridge Road, said east line also being the west boundary of lands taken by the State of New York as shown on Map 14 - Parcel 17 & Map 18 - Parcel 22 extended south to said center line; Thence northwesterly along said lines two hundred ten feet plus or minus to (216.18'±) the point of beginning.

(k) Erie County Sewer District No. 3 Boundary Extension 2016 — Portion K

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot No. 33, Township 9, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the north line of Lot No. 33 at the northwest corner of lands conveyed to Charles & Darlene Erickson by Liber 9492 Page 11; Thence west along said north line six hundred ninety six and twelve hundredths feet (696.12') to a point on the south line of Erie County Sewer District No. 3, said point also being two hundred eight-one and one tenth feet (281.10') east of the northwest corner of lands conveyed to Mary Bosard by Liber 1603 Page 529; Thence southerly parallel with the west line of lands conveyed to said Bossard a distance of six hundred sixty four and nineteen hundredths feet (664.19') to a point; Thence westerly at right angles sixteen and seventy five feet (16.75'); thence southerly on a line deflecting to the left at an angle of 98°30' one hundred seven and five tenths feet (107.5'); Thence continuing southerly on a line deflecting to the left at an angle of 181°38'40" twenty three and two tenths feet (23.2'); Thence east at right angles to last described line one foot (1.0'); Thence southerly at right angles to last described line ten and one tenth feet (10.1'); Thence westerly at right angles to last described line two and two tenths feet (2.2'); Thence southerly in a straight line one hundred eight and six tenths feet (108.6') to a point in the center line of Pleasant Avenue (66' ROW); Thence easterly along said centerline four hundred sixteen and eight tenths feet plus or minus (416.8'±) to the northwest line of Southwestern Boulevard (100' ROW) ; Thence northeasterly along said ROW a distance of three hundred ninety-three feet plus or

minus (393'±) to the west line of said lands owned by Erickson; Thence north along said west line five hundred eighty-six and nine tenths feet (586.9') to the northwest corner of said Erickson lands in the north line of Lot No. 33 to the point and place of beginning.

(1) Erie County Sewer District No. 3 Boundary Extension 2016 — Portion L

ALL THAT TRACT OR. PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot No. 28, Township 9, Range 8, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at the intersection of the east line of Lot Number 28 with the centerline of Pleasant Ave (formerly Amsdell Rd); Thence westerly along said center line a distance of 173 feet to a point, said point being 115 feet east as measured along said center line from the southeast corner of lands conveyed to Kevin Kielar by deed recorded in Erie county Clerk's Office in Liber 11001 of deeds at Page 9264; Thence northerly and parallel to the east line of said Kielar a distance of 233 feet to a point; Thence westerly parallel with the center line of said Pleasant Ave a distance of 115 feet to a point at the northeast corner of said Kielar; Thence southerly along said east line of said Kielar and its extension south crossing said Pleasant Ave a distance of 270.7+/- feet to the southerly line of a parcel of land acquired by the State of New York for highway purposes and known as Map Number 526, Parcel 533 and filed in the Erie County Clerk's Office in Liber 5940 of Deeds at pages 203 and 232; Thence southwesterly along the southeasterly bounds of said acquisition a distance of 225.35+/- feet to an angle point; Thence continuing along said southeasterly bounds of said acquisition and at an interior angle of 136° 56' 25" a distance of 160.28 feet to a point, said point being the southwest corner of Sub-Lot 5 of Map Cover 2473 (Pleasant Acres Subdivision); Thence easterly at an interior angle of 68° 21' 35" a distance of 249.08 feet to a point at the southeast corner of Sub-Lot 4 of said Map Cover 2473, said point also being on the west line of Sub-Lot 3; Thence southerly at right angles to last described line along said west line of said Sub-Lot 3 a distance of 318.26 feet to a point at the southwest corner of said Sub-Lot 3; Thence easterly at an interior angle of 92° 40' 19" along the south line of said Sub-Lot 3 a distance of 278.06 feet to the southeast corner of said Sub-Lot 3, said point also being on the east line of Lot 28; Thence northerly at an interior angle of 89° 27' 41" along said east line of Lot 28 and east line of said Sub-Lot 3 and Sub-Lot 1 a distance of 614.7 feet to the point or place of beginning.

Section 3. There will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 3 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage, specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

Section 4. This resolution is subject to permissive referendum and the Clerk of the Legislature is hereby authorized and directed to publish in full, within ten days after the adoption hereof, a Notice containing a true copy of this resolution, the resolution number, the date of adoption and a statement that such resolution is subject to permissive referendum.

EC SEWER DISTRICT NO. 4

RESOLUTION APPROVING THE EXTENSION OF ERIE COUNTY
SEWER DISTRICT NO. 4 AND MAKING OTHER
DETERMINATIONS IN CONNECTION THEREWITH

(Introduced) ____, 2016.

(Adopted) ____, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, a report of the Erie County Sewer Agency approved by the Erie County Sewer District No. 4 Board of Managers on October 7, 2015, an extension of Sewer District No. 4 of the County of Erie, New York to include sanitary sewer service areas currently serviced as out of district customers has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 4, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 4 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage, specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 4 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, said County Legislature duly adopted Resolution No. 112-2016 on the 9th day of June, 2016, calling a meeting of the County Legislature for the purpose of holding a public hearing on the aforesaid extension of Erie County Sewer District No. 4 in accordance with the aforesaid map and plan, and

WHEREAS, the Erie County Sewer District No. 4 Board of Managers and the County Legislature have given due consideration to the impact that the extension of Erie County Sewer District No. 4 may have on the environment and on the basis of such consideration, have found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Erie County Sewer District No. 4 Board of Managers and the County Legislature have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith; and

WHEREAS, said public hearing was duly held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof was submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at such public hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the public hearing held on July 6, 2016, and after due consideration of the map and plan, and other recommendations and other data, if any, heretofore provided to the County Legislature, it is hereby found and determined that:

- (a) the proposed extension is satisfactory, sufficient, adequate and appropriate;
- (b) all the property and property owners within the proposed extension are benefited thereby;
- (c) all the property and property owners benefited are included within the limits of the proposed extension;
- (d) it is in the public interest to extend said Erie County Sewer District No. 4.

Section 2. The extension of Erie County Sewer District No. 4 is hereby approved and said extension shall comprise an area described as follows:

- (a) Erie County Sewer District No. 4 Boundary Extension 2016— Portion A Parcel I

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 79, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows;

BEGINNING at a point where the center line of Transit Road (100.0 feet wide) intersects the north line of lands appropriated by the people of the State of New York for the Ontario section of the New York State Thruway, said point being on the west line of Erie County Sewer District No. 4; Thence westerly along said north line a distance of 756.7± feet to the southeast corner of lands conveyed to Bonnie Spinner by deed recorded in the Erie County Clerk's Office in Liber 10291 of Deeds at page 651; Thence continuing westerly along said north line of Thruway and the south line of said Spinner lands a distance of 798.40± feet to the east line of lands conveyed to Paul Pfohl, Fidelis Pfohl, Joseph Pfohl and Richard Pfohl by deed recorded in Liber 5811 of Deeds at page 120; Thence northerly along the easterly line of said Pfohl lands a distance of 159.54 feet to the north line of Lot 79 and the north line of the Town of Cheektowaga; Thence easterly along said north line of Lot 79 a distance of 1544.13± feet to the center line of Transit Road, said centerline being the west line of said Erie County Sewer District No. 4; Thence southerly along said lines a distance of 374.7± feet to the point of beginning.

Parcel II

ALSO ALL THAT PIECE OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 79, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows;

BEGINNING at a point on the westerly highway boundary of Transit Road (Pt. 4, S.H. 1334A-1), said point being 33.0± feet measured westerly at right angles from Station T19+01.6± of the hereinafter described survey baseline for the construction of the New York State Thruway, Ontario Section; thence S 83° 21' 28" E a distance of 50.32± feet to the center line of Transit Road (100.0 feet wide) to the Principle Point of Beginning, said point being on the west line of Erie County Sewer District No. 4; Thence 5 00 08' 00" W along said center line of Transit Road 399.96± feet to a point; thence through lands of The People of the State of New York (Thruway Authority) the following seven courses and distances: (1) N 89° 52' 00" W, 104± feet to a point; (2) on a curve to the left (the radial at the beginning of which bears S 00 08' 00" W) having a radius of 280.00 feet and a central angle of 430 57' 30", an arc length of 214.82± feet; (3) S 46° 10' 30" W, 109.30± feet; (4) on a curve to the right (the radial at the beginning of which bears N 43° 49' 30" W) having a radius of 161.35± feet and a central angle of 40° 47' 46", an arc length of 114.89± feet; (5) S 86° 58' 16" W, 280.00± feet; (6) N 0° 04' 40" E, 701.38± feet; and (7) S 83° 21' 28" E, 715.00± feet to the principle point of beginning.

Parcel III

ALSO ALL THAT PIECE OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 79, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows;

BEGINNING at a point on the westerly highway boundary of Transit Road (Pt. 4, S.H. 1334A-1), said point being 33.0± feet westerly measured at right angles from Station 114+95.98± of the hereinafter described survey baseline for the construction of the New York State Thruway, Ontario Section; thence S 89° 52' 00" E, 50 feet to the center line of Transit Road (100.0 feet wide) to the Principle Point of Beginning, said point being on the west line of Erie County Sewer District No. 4; Thence southerly along said center line of Transit Road 40.00± feet; thence through the lands of The People of the State of New York (Thruway Authority) the following twenty courses and distances: (1) N 89° 52' 00" W, 104.0± feet; (2) on a curve to the left (the radial at the beginning of which bears S 0° 08' 00" W) having a radius of 240.00 feet and a central angle of 43° 57' 30", and arc length of 184.13± feet; (3) S 46° 10' 30" W, 109.30± feet; (4) on a curve to the right (the radial at the beginning of which bears N 43° 49' 30" W) having a radius of 279.00 feet and a central angle of 40° 47' 46", an arc length of 198.66± feet; (5) S 86° 58' 16" W, 290.33± feet; (6) N 64° 18' 11" W, 34.01± feet; (7) N 64° 18' 11" W, 675.04± feet; (8) N 26° 36' 37" E, 114.04± feet; (9) N 5° 55' 48" E, 234.40± feet; (10) on a curve to the right (the radial at the beginning of which bears S 84° 04' 12" E) having a radius of 60.13 feet and a central angle of 68° 34' 51", an arc length of 71.97± feet; (11) N 74° 30' 38" E, 118.25± feet; (12) N

86° 06' 10" E, 94.23± feet; (13) on a curve to the right (the radial at the beginning of which bears S 3° 53' 50" E) having a radius of 2919.5 feet and a central angle of 5° 27' 52", an arc length of 278.44± feet; (14) S 0° 14' 12" E, 678.71± feet; (15) S 70° 04' 09" E, 53.25± feet; (16) N 86° 58' 16" E, 268.95± feet; (17) on a curve to the left (the radial at the beginning of which bears N 3° 01' 44" W) having a radius of 239.00 feet and a central angle of 40° 47' 46", an arc length of 170.17± feet; (18) N 46° 10' 30" E, 109.30± feet; (19) on a curve to the right (the radial at the beginning of which bears S 43° 49' 30" E) having a radius of 280.00 feet and a central angle of 43° 57' 30", an arc length of 214.82± feet; and (20) S 89° 52' 00" E, 104.00± feet to the principle point of beginning.

The above mentioned survey base line is a portion of the Transit Road survey base line for the construction of the Transit Road Interchange of the Thruway, as shown on a map and plan on file in the office of the New York State Department of Transportation and described as follows: Beginning at Station TO+00, thence N 0° 08' 00" E, 2000.00 feet to Station T20+00.

All bearings are referred to true north at the 78° 35' meridian of west longitude.

(b) Erie County Sewer District No. 4 Non-Contiguous Boundary Extension 2016 - Portion B

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 75, Township 11, Range 7, of the Holland Land Company's Survey, bounded and described as follows; BEGINNING at a point in the center line of Transit Road (100.0'wide) a distance of 585.10 feet north from the intersection of said center line with the center line of Rehm Road, said intersection being the southeast corner of Lot 75; Thence west along the north line lands conveyed to Waiter Klaia by Deed Liber 5023 Page 571 a distance of 500± feet to the east line of land conveyed to Fudoli by Deed Liber 10906 Page 3445; Thence north along the east line of said Fudolia a distance of 446.31± feet to the north line of land conveyed to R.M.F. Holding Corporation by Deed 7221 Page 283, said point also being on a Boundary line as described in a certain Boundary Line Agreement between R.M.F. Holding Corporation and Lorenz and Sons, Inc. by Liber 11245 Page 3880; Thence east along said Boundary Line Agreement 250 feet; Thence north parallel to the west line of Transit Road 35 feet; Thence east parallel to said Boundary Line Agreement 249.99 feet to the center line of Transit Road, said center line also being the east line of Lot No. 75 and the west boundary line of Erie County Sewer District No. 4; Thence south along said center line 468.31± feet to the point of beginning.

Section 3. There will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 4 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage, specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

Section 4. This resolution is subject to permissive referendum and the Clerk of the Legislature is hereby authorized and directed to publish in full, within ten days after the adoption hereof, a Notice containing a true copy of this resolution, the resolution number, the date of adoption and a statement that such resolution is subject to permissive referendum.

EC SEWER DISTRICT NO. 5

**RESOLUTION APPROVING THE EXTENSION OF ERIE COUNTY
SEWER DISTRICT NO. 5 AND MAKING OTHER
DETERMINATIONS IN CONNECTION THEREWITH**

(Introduced) ____, 2016.

(Adopted) ____, 2016.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, a report of the Erie County Sewer Agency approved by the Erie County Sewer District No. 5 Board of Managers on October 14, 2015, an extension of Sewer District No. 5 of the County of Erie, New York to include sanitary sewer service areas currently serviced as out of district customers has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 5, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 5 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage, specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 5 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, said County Legislature duly adopted Resolution No. 113-2016 on the 9th day of June, 2016, calling a meeting of the County Legislature for the purpose of holding a public hearing on the aforesaid extension of Erie County Sewer District No. 5 in accordance with the aforesaid map and plan, and

WHEREAS, the Erie County Sewer District No. 5 Board of Managers and the County Legislature have given due consideration to the impact that the extension of Erie County Sewer District No. 5 may have on the environment and on the basis of such consideration, have found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Erie County Sewer District No. 5 Board of Managers and the County Legislature have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State

Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith; and

WHEREAS, said public hearing was duly held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 6th day of July, 2016, at 1:30 o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof was submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at such public hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the public hearing held on July 6, 2016, and after due consideration of the map and plan, and other recommendations and other data, if any, heretofore provided to the County Legislature, it is hereby found and determined that:

- (a) the proposed extension is satisfactory, sufficient, adequate and appropriate;
- (b) all the property and property owners within the proposed extension are benefited thereby;
- (c) all the property and property owners benefited are included within the limits of the proposed extension;
- (d) it is in the public interest to extend said Erie County Sewer District No. 5.

Section 2. The extension of Erie County Sewer District No. 5 is hereby approved and said extension shall comprise an area described as follows:

- (a) Erie County Sewer District No. 5 Boundary Extension 2016— Portion A
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot 1, Section 16, Township 12, Range 6, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at the north line of lands conveyed to Theodore A. & Patricia A. Felber by deed recorded in the Erie County Clerk's Office in Liber 7583 of Deeds at Page 7 at its intersection with the west line of Lot 1, said west line also being the east bounds of existing Erie County Sewer District No. 5: Thence easterly along the north line of said Felber four hundred thirty six and twenty six hundredths feet (436.26') to the northeast corner thereof; Thence south along the east line of said Felber and the east line of lands conveyed to Stahley Properties Inc. recorded in Liber 10142 of deeds Page 712 seven hundred forty five and ninety two hundredths feet (745.92') to the southeast corner of said Stahley Properties Inc: Thence west along the south line of said Stahley Properties Inc. four hundred thirty eight and two tenths feet plus or minus (438.2'±) to the west line of said Lot 1 and the east bounds of said Erie County District No. 5; Thence northerly along said lines seven hundred forty nine and fifty two hundredths feet plus or minus (749.52'±) to the point of beginning.

(b) Erie County Sewer District No. 5 Non-Contiguous Boundary Extension 2016
- Portion B

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 10, Section 14, Township 12, Range 6, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the south line of Lot No. 10, being the center line of Greiner Road, distance 210 feet east from the southwest corner of said Lot, said point being on the east line of Erie County Sewer District No. 5; Thence east along said center line 645 feet; Thence north and parallel to the west line of said Lot 10, a distance of 300± feet to the south line of Erie County Sewer District No. 5; Thence west along said line and parallel to the center line of said Greiner Road a distance of 645± feet to a point, said point being 210 feet east of the west line of Lot 10 and on the east line of said District No. 5; Thence south parallel to said west Lot line and along said District line a distance of 300± feet to the point of Beginning and as shown on attached sketch "2015 — Exhibit B"

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 10, Section 14, Township 12, Range 6, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the southerly line of Lot No. 10, being the center line of Greiner Road, distance 955 feet east from the southwest corner of said lot, said point also being the southeast corner of lands owned by Joseph F and Martha E. Hassenfratz by deed Liber 10881 Page 7124; Thence east along said center line 100 feet; Thence north and parallel to the west line of Lot 10, 300± feet to the south line of Erie County Sewer District No. 5; Thence west along said District line and parallel to Greiner Road 100 feet to the northeast corner of said Hassenfratz lands; Thence south along the east line of Hassenfratz 300± feet to the point of beginning.

(c) Erie County Sewer District No. 5 Non-Contiguous Boundary Extension 2016
— Portion C

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 68, Township 13, Range 6, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the west line of Lot No. 68, also being the centerline of Transit Road, 500 feet north of the center line of Lapp Road, said point being the northwest corner of Erie County Sewer District No. 5 boundary; Thence north along said center line of Transit Road 822.47± feet to the northwest corner of lands conveyed to Rafiga and Sharifa Fazili by Deed Liber 10091 Page 164; Thence east at right angles to Transit Road 336.30 feet to a point; Thence northeast at an interior angle of 225°-18'-20" a distance of 231.93 feet to a point; Thence east at an interior angle of 132°-41'-28" a distance of 2,175.30 feet to a point, said point being the

northeast corner of said Fazili lands; Thence south along the east line of said Fazili a distance of 1003.48± feet to a point on the north line of Erie County Sewers District No. 5 Boundary, said point being 500 feet north of the centerline of Lapp Road; Thence west along said District Boundary and parallel to said Lapp Road 2,673± feet to the point or place of beginning.

(d) Erie County Sewer District No. 5 Boundary Extension 2016 — Portion D
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie, State of New York and, also being part of Lot 3, Section 12, Township 12, Range 6 of the Holland Land Survey, so-called, bounded and described as follows:

BEGINNING at a point 1099.56 feet west as measured along the north line of Lot 4 from the northeast corner of Lot 4, Section 11, Township 12; Range 6, said northeast corner being on the centerline of Heise Road (49.5' wide), said beginning point being the southwest corner of lands conveyed to Rocco Lucente by Liber 10877 of Deeds at page 5183 and being on the boundary line of Erie County Sewer District No. 5; Thence: N-88-05'-44"-W along said Lot 4, District line and the North line of lands conveyed to LeGrande Builders Liber 10896 Page 8019 a distance of 834.90 feet to the Southeast corner of lands conveyed to Alireza Shams by Deed recorded in the Erie County Clerk's Office in Liber 10278 of Deeds at page 148; Running Thence: N-00-47'-12"-W and parallel to Lot 3 being also the centerline of Heise Road, aforesaid, along the east line of Shams and its extension a distance of 686.47 feet to a point; Thence: N-89-12-48"-E at right angles to last described course through the lands conveyed to Edward Sawyer by Deed and recorded in the Erie County Clerk's Office in Liber 9702 at page 135, a distance of 833.98 feet to a point on the west line of lands conveyed to William King by Deed and recorded in the Erie County Clerk's Office in Liber 9303 of Deeds at page 196, said point also being on the west line of said District No. 5; Thence: S-00*-47"-12"-E and at right angles to last described course along said lines and parallel to said East line of Lot 3, a distance of 725.67 feet to the point or place of beginning.

(e) (Erie County Sewer District No. 5 Boundary Extension 2016 — Portion E)
ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 7, Section 13, Township 12, Range 6, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the south line of Main Street formerly Buffalo Road 405.88 feet west from the northeast corner of Lot No. 7; Thence south at an interior angle of 89°-56'-25" 435 feet; Thence east on a line drawn parallel with said Main Street 233 feet to a point, said point being the northeast corner of Map Cover 2809 as filed at Erie County Clerk's Office; Thence south along the east line of said Map Cover 2809 and Map Cover 2967 a distance of 2700.30± feet to a point on the south line of said Lot No. 7, being the center line of Wehrle Drive, said point also being the southeast corner of Erie County Sewer District No 5 Boundary; Thence northerly along the east boundary of said Erie County Sewer District No 5 being also parallel to the east line of Farm Lot 9 Section 13 a distance of 3,184.8± feet to a point in the

center line of Main Street, said point also being the northeast corner of said Erie County Sewer District No 5 Boundary ; Thence easterly along said center line a distance of 325± feet to a point, said point being the extension north of the first described course and point of beginning; Thence south along said extension 49.5± feet to the point of beginning.

(f) Erie County Sewer District No. 5 Boundary Extension 2016 — Portion F

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 8, Township 12, Range 6, Section 13 of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point on the west line of Farm Lot 8 where it intersects the center line of Main Street (99 Ft Wide), said west line also being on the east boundary line of Erie County Sewer District No. 5 at this location; thence north along said Farm Lot and District line a distance of 475 feet plus or minus to the north line of lands conveyed to Vincent and Michele Morabito by deed recorded in Liber 11011 of Deeds at Page 8681; thence east along said north line a distance of 88 feet plus or minus to the west Right of Way of Westwood Road; Thence south along said west Right of Way a distance of 475 feet plus or minus to the center line of said Main Street, said center line also being the north boundary line of Erie County Sewer District No. 5 at this location; Thence west along said lines 87 feet plus or minus to the point of beginning.

(g) Erie County Sewer District No. 5 Boundary Extension 2016 — Portion G

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 7, Section 14, Township 12, Range 6, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the north line of Lot No. 7, being the center line of Greiner Road, distance 360 feet west of the northeast corner of. said Lot 7; Thence south parallel to the east line of said Lot 7, a distance of 400 feet; Thence west parallel to the north line of Lot 7 a distance of 100 feet; Thence north parallel with the east line Lot 7 a distance of 400 feet to the north line of said Lot 7, Thence east along said north line 100 feet to the point of beginning.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 7, Section 14, Township 12, Range 6, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at the northeast corner of Lot No. 7, being the center line of Greiner Road, Thence south along the east line of said Lot 7, a distance of 400 feet; Thence west parallel to the north line of Lot 7 a distance of 100 feet; Thence north parallel with the east line Lot 7 a distance of 400 feet to the north line of said Lot 7, Thence

east along said north line of Lot 7 , a distance of 100 feet to the point and place of beginning .

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 5, Section 14, Township 12, Range 6, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at the northwest corner of Lot No. 5, being the center line of Greiner Road, Thence S-00°-24'-22"W along the west line of said Lot 5, a distance of 1787.94 feet plus or minus to the southwest corner of lands conveyed to the Western New York District, Inc. of the Wesleyan Church recorded in Liber 10967 of Deeds at Page 1682; Thence continuing south along said west Lot line a distance of 541.21 feet; Thence S-89°-55'-49"W parallel with the south line of said lands of the Wesleyan Church 653.91 feet; Thence N-00°-04'-11"E parallel with the west line of Harris Hill Road 197.79 feet to a point of curvature; Thence northerly on a curve to the left having a radius of 73.0 feet, an arc distance of 60.36

feet to a point of reverse curve; Thence northerly on a curve to the right having a radius of 73.0 feet an arc distance of 112.98 feet to a point of reverse curve; Thence northerly on a curve to the left having a radius of 78.0 feet an arc distance of 60.36 feet; Thence N-00°-04'-11"E parallel with the west line of said Harris Hill Road 132.35 feet to the southeast corner of said lands of the Wesleyan Church; Thence continuing north along the east line of said lands of the Wesleyan Church and parallel to the west line of Harris Hill Road a distance of 1787.04 feet plus or minus to the north line of said Lot 5 being the center line of Greiner Road; Thence west along said line a distance of 640.43 feet plus or minus to the point and place of beginning.

(h) Erie County Sewer District No. 5 Boundary Extension 2016 — Portion H

ALL THAT TRACT OR PARCEL OF LAND s situate in the Town of Clarence, County of Erie and State of New York, being part of Lot No. 11, Section 13, Township 12, Range 6, of the Holland Land Company's Survey, Bounded and described as follows;

BEGINNING at a point in the centerline of Wehrle Drive a distance of 700 feet east of the centerline of Transit Road, Said point being the southeast corner of Erie County Sewer District No. 5 Boundary at this location; Thence north along the east line of said District Boundary and parallel to the east line of Farm Lot 11 a distance of 500 feet to a point; Thence east parallel to the centerline of said Wehrle Drive a distance of 641± feet to the east line of Farm Lot 11; Thence south along said Farm Lot line 70 feet to the northeast corner of lands owned by Curtwright Development Corporation by a deed recorded in Liber 10884 Page 5755; Thence west along the north line of said Curtwright property and parallel to the centerline of Wehrle Drive a distance of 326 feet to the northwest corner of lands owned by Sidney & Edith Moy by a deed recorded in Liber 6926 Page 403; Thence south along the west line of said Moy a distance of 430 feet to the south line of Farm Lot 11, said line also being the

centerline of Wehrle Drive; Thence west along said lines 315± feet to the point of beginning .

Section 3. There will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 5 with respect to the extension of the boundaries of such District, but future annual charges will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage, specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

Section 4. This resolution is subject to permissive referendum and the Clerk of the Legislature is hereby authorized and directed to publish in full, within ten days after the adoption hereof, a Notice containing a true copy of this resolution, the resolution number, the date of adoption and a statement that such resolution is subject to permissive referendum.

(6-0)

TED B. MORTON
CHAIR

Item 34 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 240

September 29, 2016	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 15
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 17E-13 (2016)
MILLS & RATH: "Follow-Up Letter to Commissioner of Public Works Regarding Report Utilization of the PAVE NY Fund"
(5-0) Legislator Loughran not present for vote.
 - b. COMM. 18D-2 (2016)
DEPARTMENT OF PUBLIC WORKS: "2016 Highway Project Status Report"
(6-0)
2. COMM. 18E-22 (2016)
COUNTY EXECUTIVE
WHEREAS, the Tonawanda Rails to Trails Project PIN 5756.84 is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, the County of Erie previously advanced the Project by making a commitment of 100% of the Non-Federal share of the costs of the Design; Right of Way and Construction Phases via Legislative Communications 13E-39 of June 24, 2004 and 16E-10 of April 16, 2015; and

WHEREAS, the County of Erie would like to advance the Project's Supplemental Agreement with New York State Department of Transportation which includes an increase to the Construction phase of the Project, by making a commitment of 100% of the Non-Federal share of the costs; and

WHEREAS, the NYSDOT supplemental agreement is in the total amount of \$3,619,000.00, an increase of \$400,000.00 over the County's existing Project agreement with NYSDOT; and

WHEREAS, the County is required to pay the estimated local share for the increase in Project costs in the amount of \$80,000.00 which is available.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the Tonawanda Rails to Trails, PIN 5756.84 Federal-Aid Highway Local Project and supplemental agreement number 3; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Construction phase of the Project or portions thereof; and be it further

RESOLVED, that the Project budget be adjusted to reflect the anticipated federal revenue for the construction phase as follows:

Fund 420, BA 123, B.16008, 2016 Federal Aid Projects Construction:

<u>REVENUES</u>		<u>CURRENT BUDGET</u>	<u>INCREASE/ DECREASE</u>	<u>REVISED BUDGET</u>
Account	Description			
414000	Federal Aid	\$2,012,000.	\$320,000.	\$2,332,000.
475000	Gen Oblig Bond Proc	<u>\$500,000.</u>		<u>\$ 500,000.</u>
TOTAL REVENUES		<u>\$2,512,000.</u>	<u>\$320,000.</u>	<u>\$2,832,000.</u>
<u>APPROPRIATIONS</u>				
Capital Projects	Capital Project Exp	\$500,000.	\$320,000.	\$820,000.
Unallocated	Unallocated Capital	<u>\$2,012,000.</u>		<u>\$2,012,000.</u>
TOTAL APPROPRIATIONS		<u>\$2,512,000.</u>	<u>\$320,000</u>	<u>\$2,832,000.</u>

; and be it further

RESOLVED, that the estimated total cost increase of the Construction Phase of the Project, \$400,000.00, is hereby appropriated from Fund 420 SAP Projects B.16008, 2016 Federal Aid Projects Construction and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Phases as described above exceed the amounts noted the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the County's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that ten (10) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

(6-0)

EDWARD A. RATH, III
CHAIR

Item 35 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 241

September 29, 2016	PUBLIC SAFETY COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GRANT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 18E-20 (2016)

COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security through the NYS Department of Homeland Security and Emergency Services has agreed to provide funding in federal assistance to continue the implementation of programs to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the County Executive needs authorization to enter into a contract for \$17,000 with The Research Foundation for State University of New York to conduct a Commodity Flow Study on Hazardous Material Transport through Erie County; and

WHEREAS, there is funding available in the previously approved FY 15 Hazardous Materials Emergency Preparedness Grant Program via Comm. 9E-12 (2016), 5/26/16, to cover the costs incurred for this study; and

WHEREAS, the Department of Emergency Services sent out an RFP for this Commodity Flow study and The Research Foundation for State University of New York is the only agency to respond to the RFP; and

WHEREAS, the contract will be managed by the Erie County Department of Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract with The Research Foundation for State University of New York, in the amount of \$17,000, to conduct a Commodity Flow Study on Hazardous Material Transport through Erie County. Funds are available in the Department of Emergency Services 2016 Budget, Fund 110, Professional Service Contract and Fees, Account 516020; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.
(5-0)

EDWARD A. RATH, III
CHAIR

LEGISLATOR RESOLUTIONS

None.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 36 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 19-1 from LEGISLATORS MILLS, LORIGO, LOUGHRAN, DIXON, HARDWICK, MORTON, RATH, BURKE, GRANT, MILLER-WILLIAMS & SAVAGE. Re: Appointment of Commissioners of the Erie County Board of Elections

RESOLUTION NO. 242

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS
MILLS, LORIGO, LOUGHRAN, DIXON, HARDWICK, MORTON,
RATH, BURKE, GRANT, MILLER-WILLIAMS & SAVAGE

WHEREAS, on September 26, 2016, pursuant to Election Law §3-204(2), the Erie County Democratic Committee filed with the Clerk of the Erie County Legislature a Certificate of Party Recommendation, recommending the appointment of Leonard Lenihan, residing at 233 Glendale Avenue, Tonawanda, New York 14150, for appointment to the office of Democratic Commissioner of Elections for a full four-year term; and

WHEREAS, on October 4, 2016 pursuant to Election Law §3-204(2), the Erie County Republican Committee filed with the Clerk of the Erie County Legislature a Certificate of Party Recommendation, recommending the appointment of Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086, for appointment to the office of Republican Commissioner of Elections for a full four-year term; and

WHEREAS, said appointments are to commence January 1, 2017.

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with New York State Election Law, the Erie County Legislature hereby appoints Leonard Lenihan, residing at 233 Glendale Avenue, Tonawanda, New York, 14150, as Democratic Commissioner of Elections for a full four-year term commencing January 1, 2017; and be it further

RESOLVED, that in accordance with New York State Election Law, the Erie County Legislature hereby appoints Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086, as Republican Commissioner of Elections for a full four-year term commencing January 1, 2017; and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioners of the Erie County Board of Elections; and pursuant to Election Law §3-210, a certificate of appointment of Commissioners Leonard Lenihan and Ralph M. Mohr shall be filed in the Erie County Clerk's Office and the New York State Board of Elections.

MR. LORIGO moved to approve the item. MS. GRANT seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: NONE. (AYES: 11; NOES: 0)

CARRIED. UNANIMOUSLY.

Item 37 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19E-25 from the COUNTY EXECUTIVE. Re: Division of Purchase - Cooperative Purchasing Authorization

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 38 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19E-26 from the COUNTY EXECUTIVE. Re: Appointment of Commissioner of the Department of Central Police Services

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 39 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-7 from the ERIE COUNTY REPUBLICAN COMMITTEE. Re: 2016 Certification of Recommendation for Commissioner of Elections

Received, filed and printed.

Election Commissioner Certification

To the Clerk of the County Legislature, County of Erie:

I, Nicholas A. Langworthy, certify that at a meeting of the county committee members of the Erie County Republican Committee, held on the 3rd day of October, 2016, at Leonard Post VFW #6251 located at 2450 Walden Avenue, Cheektowaga, New York 14225, under the provisions of the

election law of the state of New York and the rules of the Erie County Republican Committee, a quorum being present,

Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086 was unanimously recommended by said committee as a suitable and qualified person for appointment to the public office of Commissioner of Elections for a full four year term commencing January 1, 2017 and ending December 31, 2020, and that said designee is a registered voter of the County of Erie and a duly enrolled member of the Republican Party.

Dated at Buffalo, New York
October 4, 2016

NICHOLAS A. LANGWORTHY
Nicholas A. Langworthy, Chairman
Erie County Republican Committee

State of New York)
County of Erie) ss.:

On the 4th day of October in the year 2016, before me, the undersigned, personally appeared Nicholas A. Langworthy, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

ROBIN L. JANN SION
Notary Public - State of New York
Robin L. Jann Sion
Notary Public, State of New York
Qualified in Erie County
My Commission Expires May 23, 2018

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 40 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 243

RE: Department of Senior Services –
Establish Senior SNAP Enrollment
2016-2018 Grant Funding
(COMM. 19E-1)

WHEREAS, The National Council on Aging’s (NCOA) Senior Supplemental Nutrition Assistance Program (SNAP) Enrollment Initiative is a national program that supports efforts by

community-based organizations and agencies to assist older adults (i.e., age 60 and over) in applying for and enrolling in SNAP; and

WHEREAS, the Erie County Department of Senior Services, in conjunction with two of our current subcontract agencies Healthy Community Alliance, Inc. (HCA) and Jericho Road Ministries, Inc. dba Jericho Road Community Health Center (Jericho Road), and support from the Cattaraugus County Office of the Aging, had submitted a competitive grant application to NCOA for Senior SNAP Enrollment Initiative Grant funding to increase current SNAP outreach and enrollment assistance to people ages 60 and older in rural and refugee communities in Western New York; and

WHEREAS, NCOA has recently awarded the Department of Senior Services \$50,000 of Senior SNAP Enrollment Initiative grant funds for the period October 1, 2016 to April 30, 2018; and
WHEREAS, the grant is 100% funded and does not require a local share; and

WHEREAS, the Department of Senior Services desires to contract, with subcontractors, HCA and Jericho Road to implement the Senior SNAP Enrollment Initiative program in their communities.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to enter into a contract with the National Council on Aging (NCOA) to accept the \$50,000 of Senior SNAP Enrollment Initiative funding for the period October 1, 2016 to April 30, 2018; and be it further

RESOLVED, the County Executive be and is hereby authorized to contract with the HCA at a cost not to exceed \$46,225 to take on an administrative role, implement a public awareness campaign, conduct outreach, and enroll clients; and be it further

RESOLVED, the County Executive be and is hereby authorized to contract with Jericho Road, at a cost not to exceed \$3,775, for conducting individual client outreach and enroll clients; and be it further

RESOLVED, the County Executive be and is hereby authorized to enter into contracts and amendments with the NCOA and Healthy Community Alliance, Inc. (HCA) and Jericho Road Community Health Center (Jericho Road) to effectuate adjusted funding levels; and be it further

RESOLVED, that the budget for the 163SRSNAP1618 grant, be established as follows:

REVENUES		INITIAL BUDGET
Account	Description	
417060	Other Income	
	Senior Services	<u>\$50,000</u>
	TOTAL	<u>\$50,000</u>
APPROPRIATIONS		INITIAL BUDGET
Account	Description	
516020	Professional Services & Fees	<u>\$50,000</u>
	TOTAL	<u>\$50,000</u>

and be it further

RESOLVED, that, the Director of Budget and Management is hereby authorized to adjust the budget as required to comply with the NCOA approved funding levels; and be it further.

RESOLVED, that certified copies of this resolution be forwarded to the County Executive Office, the Division of Budget and Management, the Comptroller's Office and the Department of Senior Services.

Item 41 – (COMM. 19E-2) Veto Message of LL Intro. 12-2 (2016)

Received, filed and printed.

September 29, 2016

Karen M. McCarthy, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

RE: Veto of Local Law Intro. No. 12-2-2016

Dear Ms. McCarthy:

A certified copy of Local Law Intro. No. 12-2-2016, entitled "*A LOCAL LAW amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to reconunendations made by the Erie County Charter Revision Commission, duly organized pursuant to Local Law No. 5-2015,*" was presented to me for approval on August 30, 2016. A public hearing regarding this Local Law was duly held on September 9, 2016. Pursuant to Erie County Charter Section 205, I hereby Disapprove and VETO Local Law Intro. No. 12-2-2016 because I object to certain provisions related to adding the County's ethics laws to the Charter, as well as the creation of an independent redistricting commission for the Legislature.

On September 29, 2016 a new version of this Local Law was reviewed and submitted to your Honorable Body by Majority Leader Joseph Lorigo that addresses the issues I have identified in the above-described vetoed Local Law. It is my expectation that the Legislature will move swiftly on soliciting public input then the passage of this most recent version.

I thank all of the volunteers who sat on the charter revision commission; your tireless effort demonstrated the type of dedication that allows the wheels of government to continue to roll. I would also like to thank the Legislature for working in a bipattisan manner in arriving at the new law. I am confident that the final product was certainly worth the many hours everyone has in vested into this matter.

Sincerely yours,
MARK C. POLONCARZ
Mark C. Poloncarz, Esq.

Erie County Executive

FROM CHAIR MILLS

Item 42 – (COMM. 19E-3) Letter Clerk of the Legislature Calling a Public Hearing Regarding LL Intro. 15-1 (2016)

Received, filed and printed.

September 29, 2016
Karen M. McCarthy, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. McCarthy:

Please be advised that I want to call a Public Hearing to hear comment on Local Law Intro. 15-1 (2016) A Local Law Amending the Erie County Charter to Require Full Pay for Military Personnel On Leave.

The Erie County Legislature is to hold a PUBLIC HEARING to consider the abovementioned at 3:00 p.m. on Thursday, October 6, 2016 in the Erie County Legislature Chambers, located on the 4th floor of Old county Hall, 92 Franklin Street in the City of Buffalo.

Thank You for your attention to this matter.

Sincerely,
JOHN J. MILLS
John J. Mills, Chair
Erie County Legislature

FROM THE COUNTY EXECUTIVE

Item 43 – (COMM. 19E-4) EC Sewer District No. 3 - Engineer Term Contract Agreement - Work Order CRA-8 Revised

Item 44 – (COMM. 19E-5) EC Sewer District No. 6 - Engineer Term Contract Agreement - Work Order CRA-9

The above two items were received and filed.

Item 45 – (COMM. 19E-6) Tonawanda Rails to Trails - Change Orders - Construction Contract with Northeast Diversification Inc - Construction Services Contract with C&S Companies

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM LEGISLATOR RATH

Item 46 – (COMM. 19E-7) Letter to County Executive Regarding Maintenance of Conner Road

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 47 – (COMM. 19E-8) EC Sewer Districts - Request for Public Hearing - 2016 Assessment Rolls (2017 Levy)

Item 48 – (COMM. 19E-9) EC Sewer District No. 2 - Lakeshore Rd Low Pressure Grinder Pump System - Contract 86 Close Out

Item 49 – (COMM. 19E-10) NYSDEC Municipal Waste Reduction and Recycling Coordinator/Education 2016-2019 Grant

Item 50 – (COMM. 19E-11) Community Solar Project - MOU Regarding Preliminary Community Solar Evaluation

The above four items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 51 – (COMM. 19E-12) Transfer of Automotive Mechanic from Divison of Highways to Divison of Fleet Services

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 52 – (COMM. 19E-13) Bond Resolution Discussion - ECMCC

Item 53 – (COMM. 19E-14) Refunding Bond Resolution Discussion – ECMCC

The above two items were received and filed.

FROM THE COMPTROLLER

Item 54 – (COMM. 19E-15) Letter to Chief Financial Officer, ECMCC Regarding Request for Information Concerning ECMCC-IGT Payments and Analysis

Item 55 – (COMM. 19E-16) 2015 External Auditor's Management Letter

Item 56 – (COMM. 19E-17) 2015 Federal Financial Assistance Audit Report

Item 57 – (COMM. 19E-18) 2015 NYSDOT Single Audit Report

The above four items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 58 – (COMM. 19E-19) Department of Health - Authorization to Enter Into Contract with LexisNexis Risk Solutions

Item 59 – (COMM. 19E-20) Department of Senior Services - Authorization to Contract with the Town of Marilla for Creation of a Congregate Dining Site

Item 60 – (COMM. 19E-21) Appointments to the EC Council on the Disabled Advisory Board

The above three items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 61 – (COMM. 19E-22) Department of Emergency Services - Authorization to Enter Into Contract with Televate LLC for Interoperable Communications Consulting Services

Item 62 – (COMM. 19E-23) Department of Probation - Authorization to Enter into a MOU with Rocky Mountain Management Systems LLC for Secure Continuous Remote Alcohol Monitoring

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATORS RATH & DIXON

Item 63 – (COMM. 19E-24) Letter to County Executive Regarding Request for Appointment of a Commissioner of the Department of Central Police Services

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 64 – (COMM. 19D-1) Notice of Public Hearing Regarding LL Intro. 15-1 (2016)

Item 65 – (COMM. 19D-2) Notice Regarding County Executive's Veto of LL Intro. 12-2 (2016)

Item 66 – (COMM. 19D-3) NYS DEC Documents Received

The above three items were received and filed.

FROM THE COUNTY ATTORNEY

Item 67 – (COMM. 19D-4) Notice of NYS Department of State Local Law Filing for Local Law 4

Received and filed.

FROM THE COMMISSIONER, DEPARTMENT OF PUBLIC WORKS

Item 68 – (COMM. 19D-5) Notices of Disrepair - Prior Written Notice Law

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES

Item 69 – (COMM. 19D-6) Letter Regarding Current Leasing Space for Social Services Offices

Item 70 – (COMM. 19D-7) Follow-up Information Regarding Current Leasing Space for Social Services Offices

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 71 – (COMM. 19D-8) 2012 Report on the Use of Outside Counsel

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 72 – (COMM. 19D-9) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE ERIE COUNTY DEMOCRATIC COMMITTEE

Item 73 – (COMM. 19M-1) 2016 Certification of Recommendation for Commissioner of Elections

Received, filed and printed.

September 26, 2016

Karen McCarthy
Clerk of the Erie County Legislature
92 Franklin St.
4th Floor
Buffalo, NY 14202

To Whom It May Concern,

Attached please find the 2016 Certification of Recommendation for Commissioner of Elections, approved at the biennial reorganization meeting of the Erie County Democratic Committee, duly convened and held at The Grapevine Banquet Hall, 333 Dick Rd., Depew, NY 14043, County of Erie, and State of New York on the 24th day of September, 2016.

Sincerely,
JEREMY ZELLNER
Jeremy Zellner
Chairman, Erie County Democratic Committee

Certificate of Party Recommendation
For Commissioner of Elections Erie
County Democratic Party
(Pursuant to Election Law, Sections 3-204)

To the Clerk of the Erie County Legislature:

We do hereby certify that:

At the biennial reorganization meeting of the Erie County Democratic Committee, duly convened and held at The Grapevine Banquet Hall, 333 Dick Rd., Depew, NY 14043, County of Erie, and State of New York on the 24th day of September, 2016, under the provisions of section 3-204 of the Election Law of the State of New York and the rules of the Erie County Democratic Committee, a quorum of members of such committee being present,

Leonard Lenihan, residing at 233 Glendale Ave., Tonawanda, NY 14150 was recommended by said committee as a suitable and qualified person for appointment to the public office of Commissioner of Elections. Said designee is a registered voter of the County of Erie and a duly enrolled member of the Democratic Party.

September 24, 2016
Cheektowaga, New York

IN WITNESS WHEREOF, we have made and executed this Certificate, this 24 day of September, 2016.

JEREMY J. ZELLNER
Jeremy J. Zellner, Chair
Erie County Democratic Committee

JENNIFER L. HIBIT
Jennifer L. Hibit, Secretary
Erie County Democratic Committee

ACKNOWLEDGEMENT

Sept. 24, 2016
Date

PATRICK J. KENNEDY, Notary Public
Signature and Official Title of Officer Administering Oath

Name: Patrick J. Kennedy
Notary Public, State of New York
Qualified in Erie County of Erie
My Commission Expires: 5/11/2019

State of New York:
County of Erie: SS:
City of Buffalo:

On this 24 day of September, 2016, before me, the undersigned, a notary public/commissioner of deeds in and for the State of New York, personally appeared Jeremy J. Zellner, Chairman and Presiding Officer and Jennifer L. Hibit, Secretary, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals described therein, and who executed the foregoing instrument, and acknowledged to me that they executed the same for the purposed therein mentioned.

Sept. 24, 2016
Date

PATRICK J. KENNEDY, Notary Public
Signature and Official Title of Officer Administering Oath

Name: Patrick J. Kennedy
Notary Public, State of New York
Qualified in Erie County of Erie
My Commission Expires: 5/11/2019

AFFIDAVIT

State of New York
County of Erie ss:

We the undersigned, Jeremy J. Zellner, Chair and Presiding Officer and Jennifer L. Hibit, Secretary, being duly sworn, each for himself and herself, deposes and says:

That we are the same persons who signed the foregoing Certificate of party Recommendation for Democratic Elections Commissioner. We were and are the Chair/Presiding Officer and Secretary, respectively, of the Party Committee as provided for in the Rules of the Erie County Democratic Committee, which met on the 24 day of September 2016 at 10:00 a.m. in The Grapevine Banquet Hall, 333 Dick Rd., Depew, NY 14043, County of Erie, and State of New York; and which is the committee as provided by the rules of said party to recommend a candidate of the Democratic Party for final appointment by the Erie County Legislature.

That at such meeting, the said Party County Committee did duly vote, with a quorum being present, to so recommended the candidate indicated, and the matters as stated in said Certificate are true.

JEREMY J. ZELLNER
Jeremy J. Zellner, Chair
Erie County Democratic Committee

JENNIFER L. HIBIT
Jennifer L. Hibit, Secretary
Erie County Democratic Committee

Sept. 24, 2016

PATRICK J. KENNEDY, Notary Public

Date Signature and Official Title of Officer Administering Oath

Name: Patrick J. Kennedy
Notary Public, State of New York
Qualified in Erie County of Erie
My Commission Expires: 5/11/2019

FROM HARRIS BEACH PLLC

Item 74 – (COMM. 19M-2) Acknowledgement of Filings - Certificates of Appointments of Members of the ECIDA

Received, filed and printed.

September 29, 2016

HAND DELIVERED

Karen M. McCarthy, Clerk
Erie County Legislature
Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Appointment of Louis Panzica & Sister Denise Roche
Erie County Industrial Development Agency

Dear Ms. McCarthy:

Enclosed are copies of the filed Certificates of Appointment for Louis Panzica and Sister Denise Roche with the Department of State, Miscellaneous Records. Louis Panzica replaces Dennis W. Elsenbeck and Sister Denise Roche replaces David J. State.

Also enclosed is an updated Clerk's Certificate. Please sign and place your seal where indicated. Once completed, please contact me at 200-5136 and I will arrange for pick up from your office.

Please call if you have any questions. Thank you.

Very truly yours,
KATHLEEN A. DRUMM
Administrative Assistant

KAD/ms
Enclosure

CLERK'S CERTIFICATE

I, Karen M. McCarthy, Clerk of the Erie County Legislature, Erie County, New York (the "Legislature"), HEREBY CERTIFY that the attached extract from the minutes of the meeting of the Legislature duly called and held on June 2, 1970, has been compared by me with the original minutes of said meeting as officially recorded in the Minute Book of the Legislature, and said extract is a correct transcript referred to in said extract, and the resolution contained in said extract has been duly adopted and said resolution, as amended, is in full force and effect.

I HEREBY FURTHER CERTIFY that the attached copy of the Certificate of Establishment of the Erie County Industrial Development Agency was duly filed with the Secretary of State on August 5, 1970, and pursuant to Section 856, subdivision 2 of the General Municipal Law, the undersigned hereby certifies that the following persons have been appointed or reappointed and are currently serving as members of the Erie County Industrial Development Agency and that the attached copies of the Certificate of Appointment of said members are true copies of the originals filed with the Secretary of State on the date or dates received thereon:

Diane Benczkowski	John J. Mudie
Bryon W. Brown	Glenn R. Nellis
James F. Doherty	Louis Panzica
Joseph H. Emminger	Mark C. Poloncarz
Dottie Gallagher-Cohen	Darius G. Pridgen
Richard Lipsitz, Jr.	Edward A. Rath, III
David L. Lowrey	Sister Denise Roche
Brenda W. McDuffie	Paul V. Vukelic
Frank B. Mesiah	Barry A. Weinstein

IN WITNESS WHEREOF, I have hereunto set my hand as aforesaid and affixed the seal of the Erie County Legislature as of September 29, 2016.

(SEAL)

KAREN M. McCARTHY
Karen M. McCarthy, Clerk

CERTIFICATE
OF
APPOINTMENT
AS MEMBER OF
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE
UNDER
GENERAL MUNICIPAL LAW SECTION 856(2)

THIS is to certify that SISTER DENISE ROCHE has been appointed as a member of ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA"), which has been duly established by Chapter 293 of the Laws of 1970. SISTER DENISE ROCHE will fill the vacancy created by DAVID J. STATE.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the County Legislature of the County of Erie this 16th day of September, 2016.

THE COUNTY LEGISLATURE OF
THE COUNTY OF ERIE

(SEAL)

By: KAREN M. McCARTHY
Karen M. McCarthy,
Clerk of the Legislature

CERTIFICATE
OF
APPOINTMENT
AS MEMBER OF
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
FOR FILING
WITH
SECRETARY OF STATE
UNDER
GENERAL MUNICIPAL LAW SECTION 856(2)

THIS is to certify that LOUIS PANZICA has been appointed as a member of ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA"), which has been duly established by Chapter 293 of the Laws of 1970. LOUIS PANZICA will fill the vacancy created by DENNIS W. ELSENBEC.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the County Legislature of the County of Erie this 9th day of September, 2016.

THE COUNTY LEGISLATURE OF
THE COUNTY OF ERIE

(SEAL)

By: KAREN M. McCARTHY
Karen M. McCarthy,
Clerk of the Legislature

FROM THE NFTA

Item 75 – (COMM. 19M-3) Annual 17A Report

Received and filed.

FROM THE SUPERVISOR, TOWN OF EDEN

Item 76 – (COMM. 19M-4) Letter to County Executive Regarding County-Town Snow Plowing Contract

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYS ASSOCIATION OF COUNTIES

Item 77 – (COMM. 19M-5) Transmittal of Resolutions Adopted at 2016 Annual Meeting

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE MWBE UTILIZATION ADVISORY BOARD

Item 78 – (COMM. 19M-6) May 23, 2016 Meeting Minutes

Received and referred to the MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE.

ANNOUNCEMENTS

Item 79 – CHAIR MILLS announced a public hearing is scheduled for October 6, 2016, 3:00 p.m. at the legislature chambers, regarding proposed Local Law Intro. 15-1 (2016).

Item 80 – CHAIR MILLS announced the committee schedule for October 13, 2016 has been distributed.

Item 81 – CHAIR MILLS announced the next regularly scheduled legislative session is October 20, 2016.

MEMORIAL RESOLUTIONS

Item 82 – Legislator Burke requested that when the Legislature adjourns, it do so in memory of Todd J. Socha.

Item 83 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Norma Jean Blank and Jeffrey “Buzz” Carroll.

Item 84 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Dawn Ellen Cain and Chauncey R. Syposs Jr.

Item 85 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Bernard Fiume.

Item 86 – Legislator Miller-Williams requested that when the Legislature adjourns, it do so in memory of Bettie Jean Whooser.

Item 87 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of David Edgerton.

ADJOURNMENT

Item 88 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, October 20, 2016 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, October 20, 2016 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE